

HISTORY, JURISDICTION, AND
A SUMMARY OF ACTIVITIES OF THE
COMMITTEE ON ENERGY AND NATURAL
RESOURCES
DURING THE 99TH CONGRESS

COMMITTEE ON ENERGY AND NATURAL
RESOURCES
UNITED STATES SENATE



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(100th Congress)

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MEMORANDUM OF THE CHAIRMAN

To Members of the Senate Committee on Energy and Natural Resources:

The enclosed report reviews the accomplishments of the Committee in the 99th Congress.

J. BENNETT JOHNSTON, *Chairman.*

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HISTORY AND CURRENT JURISDICTION

HISTORY

Although the Federal Constitution does not even mention committees, the committee system was established by the First Congress. Our first lawmakers recognized the need for workable units to find facts and make policy recommendations, based on indepth study and expertise.

The present committee organization was created in 1977 by the "Committee System Reorganization Amendments of 1977" (S. Res. 4, 95th Cong.). The purpose of S. Res. 4 was to streamline the Senate's procedural organization by reorganizing the committee jurisdictions as reasonably as possible and within the hands of fewer committees.

CURRENT JURISDICTION

Under Senate Rule XXV(g) the jurisdiction of the Committee on Energy and Natural Resources extends to—

all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Coal production, distribution, and utilization.
2. Energy policy.
3. Energy regulation and conservation.
4. Energy related aspects of deepwater ports.
5. Energy research and development.
6. Extraction of minerals from oceans and Outer Continental Shelf lands.
7. Hydroelectric power, irrigation, and reclamation.
8. Mining education and research.
9. Mining, mineral lands, mining claims, and conservation.
10. National parks, recreation areas, wilderness areas, wild and scenic rivers, historical sites, military parks and battlefields, and on the public domain, preservation of prehistoric ruins and objects of interest.
11. Naval petroleum reserves in Alaska.
12. Nonmilitary development of nuclear energy.
13. Oil and gas production and distribution.
14. Public lands and forests, including farming and grazing thereon, and mineral extraction therefrom.
15. Solar energy systems.
16. Territorial possessions of the United States, including trusteeships.

At the beginning of the 99th Congress (1985), the Committee reorganized its subcommittees to reflect its anticipated oversight and legislative workload. At the March 21, 1985, Committee organizational meeting five subcommittees were established: the Subcom-

mittee on Energy Regulation and Conservation; the Subcommittee on Energy Research and Development; the Subcommittee on Natural Resources Development and Production; the Subcommittee on Public Lands, Reserved Water and Resource Conservation and the Subcommittee on Water and Power.

Under the new subcommittee structure, the jurisdiction of the Subcommittee on Energy Regulation and Conservation included oversight and legislative responsibilities for Federal energy conservation programs; energy information; commercialization of new technologies (e.g., wind, solar, ocean thermal energy conversion); liquefied natural gas projects; oil and gas pipelines and pipeline regulation; regulatory function of ERA; refinery policy; gasoline rationing; natural gas pricing and regulation; emergency preparedness; petroleum allocation and coal conversion (Fuel Use Act).

The jurisdiction of the Subcommittee on Energy Research and Development included oversight and legislative responsibilities for nuclear R&D; coal and synfuels R&D; nuclear and nonnuclear energy commercialization projects; nuclear fuel cycle policy, including uranium resources; Synthetic Fuels Corporation; new technologies R&D (e.g., conservation, solar, OTEC, and MHD); nuclear insurance and facilities siting, and breeder reactor development.

The jurisdiction of the Subcommittee on Natural Resources Development and Production included oversight and legislative responsibilities for energy and nonfuel mineral resources; Federal mineral leasing; national mining and minerals policy and general mining laws; surface mining, reclamation and enforcement; coal production distribution, and utilization; oil and gas production, and distribution; mining education and research; minerals exploration, development and production from public and acquired lands; mineral conservation, royalty management; coal severance tax, Naval Petroleum and Oil Shale Reserves; deep water ports; and deep seabed mining.

The jurisdiction of the Subcommittee on Public Lands, Reserved Water and Resource Conservation included oversight and legislative responsibilities for the public lands administered by the Bureau of Land Management; National Forest System; National Park System; National Wilderness Preservation System; Wild and Scenic Rivers System; National Trail System; establishment of wildlife refuges on public lands; Alaska Native Claims Settlement Act; Alaska National Interest Lands Conservation Act; reserved water rights; military land withdrawals; national recreation areas; national monuments; historic sites; military parks and battlefields; Land and Water Conservation Fund; historic preservation; renewable resources; outdoor recreation resources; and on the public domain preservation of prehistoric ruins and objects of interest.

The jurisdiction of the Subcommittee on Water and Power included oversight and legislative responsibilities for irrigation; reclamation projects; power marketing administrations (e.g., Bonneville Power, Alaska Power, Southwestern Power, Western Area Power, Southeastern Power); energy development impacts on water resources; small power producers; hydroelectric power; low head hydro; utility policy; Alaska Natural Gas Transportation System financing; and FERC, including regulation of Alaska Natural Gas Transportation System (ANGTS), Trans-Alaska Pipeline System

(TAPS), and other oil or gas pipeline transportation systems within Alaska (e.g. the Trans-Alaskan Gas line system).

In addition, numerous important matters were considered directly by the fully Committee without initial reference to a subcommittee. In addition to Executive nominations, such matters include issues that (1) require extremely expeditious handling, or (2) substantially overlap two or more subcommittee jurisdictions, or (3) are of exceptional national significance in which all Members wish to participate fully.

HISTORY, JURISDICTION, AND A SUMMARY OF ACTIVITIES OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES DURING THE 99TH CONGRESS

MARCH 30, 1987.—Ordered to be printed

Mr. J. BENNETT JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

SUMMARY OF 99TH CONGRESS LEGISLATIVE AND OVERSIGHT ACTIVITIES

SUMMARY

During the 99th Congress the Committee on Energy and Natural Resources conducted an extensive oversight and legislative program. A total of 324 bills and resolutions were referred for consideration to the Committee. Several other bills and resolutions under the Committee's jurisdiction were considered and passed by the Senate without Committee referral. In addition, the Committee received 36 nominations, 28 Presidential messages, and 407 Executive Communications.

In the aggregate, the Committee held 135 days of public hearings (including 23 field hearings) during the 99th Congress. These hearings encompassed 60 days of oversight, 59 days of legislative, and 16 days of nomination hearings. The Committee also held 55 business meetings and participated in 10 Senate-House conferences.

Action was completed on a broad range of oversight, legislative, and executive matters. Legislatively, 92 bills or resolutions were reported by the Committee, and the Committee was discharged of 14 other measures. Among these were four measures which were sequentially referred to the Committee and reported favorably with amendments: S. 2676, S. 740, S. 1696, and H.R. 4212.

The Congress enacted a total of 77 public laws within the jurisdiction of the Committee. Two other measures (S. 360 and S. 1528) were incorporated in related public laws and several other measures, as discussed herein, were combined together. In addition, the

President pocket vetoed H.R. 5465 (S. 2781), the National Appliance Energy Conservation Act of 1986.

When the Congress adjourned sine die, eight Senate-passed measures, within the jurisdiction of the Committee, were pending before the House, and one House passed measure was being held at the Senate desk. Some 13 other measures reported by the Committee were pending on the Senate Calendar.

During the 99th Congress, 36 nominations were submitted by President Reagan and referred to the Committee. Of these, 30 were reported favorably by the full Committee, two were discharged from the Committee, and 32 were confirmed by the Senate. At the end of the 99th Congress, three were pending before the Committee and one had been withdrawn.

The Committee filed 92 Senate Reports on measures reported by the Committee. The Committee also published 105 hearing records.

As discussed below, the four principal areas of Committee activity—budget, energy, natural resources, and territories—were distributed among the full Committee and five subcommittees.

FULL COMMITTEE

JAMES A. McCLURE, *Chairman*

JURISDICTION

Numerous important matters were considered directly by the full Committee without initial reference to a subcommittee. During the 99th Congress the jurisdiction of the full Committee included oversight and legislative responsibilities for Strategic Petroleum Reserve; intergovernmental relations; Outer Continental Shelf leasing; investigation and oversight; international energy affairs; territorial affairs; and Antarctica. In addition, other issues are retained in the full Committee on an ad hoc basis. Generally, these are issues which (1) require extremely expeditious handling, or (2) substantially overlap two or more subcommittee jurisdictions, or (3) are of exceptional national significance in which all Members wish to participate fully.

OVERVIEW

Nominations

During the 99th Congress, 36 nominations were submitted by President Reagan and referred to the Committee. Of these, 30 were reported favorably by the full Committee, and 32 were confirmed by the Senate. At the end of the 99th Congress three were pending before the Committee and one had been withdrawn.

Presidential messages

Twenty-eight (28) Presidential messages were transmitted to the Committee during the 99th Congress dealing with a variety of subjects within the Committee's jurisdiction.

Executive communications

The Committee received a total of 407 Executive communications transmitting legislative recommendations and relating to the Committee's oversight responsibilities.

Reports and publications

During the 99th Congress the full Committee filed 92 Senate Reports on measures reported by the Committee.

The Committee also published 105 hearing records. Fourteen (14) of these dealt with Presidential appointees, and the remaining publications provided background material pertinent to the Committee's legislative activities and oversight responsibilities.

In addition, the Committee published one committee print dealing with the committee rules, membership and jurisdiction.

OVERSIGHT ACTIVITIES

Budget

During the 99th Congress, the full Committee conducted 7 days of oversight hearings on the President's proposed budget for fiscal years 1986 and 1987 for the Department of Energy, Department of the Interior, the U.S. Forest Service, the Federal Energy Regulatory Commission, and the Synthetic Fuels Corporation. In addition, the Subcommittee on Energy Research and Development conducted 9 days of hearings on the Department of Energy's research and development programs.

Following these annual reviews of the President's proposed budgets for fiscal years 1986 and 1987, the Committee submitted its reports to the Senate Budget Committee. In its February 1986 report, the Committee noted that since 1981 when the Congress, and the Committee, began efforts with the fiscal year 1982 budget to streamline and make the Federal Government more efficient, funding for programs within its jurisdiction have decreased from approximately \$16.5 billion to \$13 billion for fiscal year 1986. This is an absolute decrease of 21 percent, which corresponds to approximately a 31 percent reduction after inflation. The Committee was concerned that further budget cuts of this size in national energy and natural resource activities may seriously weaken the United States' energy and natural resources base that is a vital part of our national economic strength. Therefore, the Committee recommended that programs within its jurisdiction, in general, be funded at an aggregate current services level.

Energy

The full Committee also conducted 14 days of oversight hearings on a variety of energy issues pertinent to its jurisdiction, including:

- Domestic and International Petroleum Situation and the Implications of Fees on Imported Oil (5 days);
- Nation's Electric Utility Industry (2 days);
- Implementation of the Public Utility Regulatory Policies Act of 1978 (2 days);
- Clean Coal Technology Development and Strategies for Acid Rain Control (2 days);
- Chernobyl Accident and Implications for the Domestic Nuclear Industry (1 day); and
- Treasury Department's Tax Reform Proposal and the Oil and Gas Industry (2 days).

Full Committee energy oversight activities of particular importance were:

Domestic and international petroleum situation

The full Committee held 5 days of hearings on the domestic and international petroleum situation and the implications of fees on imported oil. The purpose of the oversight hearings was to explore the factors that are affecting the price and supply of oil, and to begin to assess their implications for U.S. policy. The dramatic drop in oil prices in early 1986 produced a mixed bag of results. One day of the hearings was devoted to the domestic and international implications of a fee on imported oil.

In addition, as discussed herein, the Subcommittee on Energy Regulation and Conservation held a hearing on the impact of imported petroleum products on the domestic petroleum industry. The hearing addressed concerns by major oil companies and independents alike that imports of petroleum products—gasoline in particular—are adversely affecting the domestic refining industry and U.S. energy security.

Electric utility issues

Extensive hearings were held on various issues affecting the Nation's electric utility industry, in addition to hearings on clean coal technologies and strategies for acid rain control.

Potential for Regional Shortages.—The full Committee held 2 days of hearings on the potential for serious regional shortages of electric power in the U.S. by the early 1990's. Conservation, cogeneration, imported power from Canada, and the voluntary wheeling of power were considered.

Implementation of the Public Utility Regulatory Policies Act of 1978.—The full Committee also held 2 days of hearings on the implementation of the Public Utility Regulatory Policies Act of 1978 (PURPA). These hearings focused on three basic questions. First, to what extent have the basic goals of PURPA been achieved. Second, what new problems have been created, particularly those involving the issue of fairness to electric utility ratepayers. Third, do those problems require legislation, or can they be resolved by the Federal Energy Regulatory Commission.

Clean Coal Technology Development and Strategies for Acid Rain Control.—The full Committee held 2 days of hearings on clean coal technology development and strategies for acid rain control. The general purpose of the hearings was to provide, from a macro perspective, a review of the relationships between timetables for implementation of the DOE Clean Coal Technology program and timetables being proposed for the control of acid rain.

In addition, as discussed below, the Subcommittee on Energy Research and Development held a hearing on emerging clean coal technologies.

Nuclear issues

Extensive hearings were held on a number of nuclear issues of concern to the Committee.

Chernobyl Accident and Implications for the Domestic Nuclear Industry.—The full Committee held a hearing on the Chernobyl nuclear reactor accident and implications for the U.S. nuclear industry. The hearing addressed concerns by Members of this Committee about the immediate and long-term health effects of the Chernobyl accident, the safety of our U.S. commercial and defense reactors, the need for licensing reform, and the accident's overall impact on world energy supplies.

Nuclear Waste Mission Plan.—The full Committee held extensive hearings on various aspects of implementation of the Nuclear Waste Policy Act. (The Subcommittee on Energy Research and Development also held a hearing on DOE's Mission Plan for the Civilian Radioactive Waste Management Program.) The Nuclear Waste Policy Act of 1982 mandated DOE to prepare a comprehensive

report, the "Mission Plan", which shall provide sufficient information to permit decisions to be made in carrying out the repository program for acceptance of nuclear waste by January 1998. The Plan was submitted in July 1985.

Second Waste Repository Site Selection Under DOE's Office of Civilian Radioactive Waste Management.—In addition, as discussed below, the Subcommittee on Energy Research and Development held a hearing on the Department of Energy's site selection activities relating to the second high-level nuclear waste repository.

Natural resources

The full Committee also conducted 4 days of oversight hearings on certain natural resource issues pertinent to its jurisdiction, including:

OCS Leasing (1 day);

Distribution of Outer Continental Shelf Section 8(g) Revenues in Response to Instructions on the Budget Resolution (1 day);

President's July 8, 1985 National Defense Stockpile "Modernization" Proposal and its potential impacts on the domestic mining industry (1 day); and

Applicable Water Law during FERC Hydroelectric Licensing Proceedings (1 day).

Natural resource issues of particular oversight concern to the full Committee were:

OCS Leasing and Revenue Sharing

The full Committee conducted 2 days of oversight hearings related to Outer Continental Shelf oil and gas leasing. One day was dedicated to leasing moratoria and one to the division of revenues from the Section 8(g) zone.

Stockpile "Modernization"

The full Committee held a hearing on the President's July 8 National Defense Stockpile "Modernization" Proposal and its Potential Impact on the Domestic Mining Industry. The hearing addressed two concerns regarding the proposal: (a) the stockpile goals in the President's Tier I, which purportedly consists of those materials that would be required during a protracted military conflict, and (b) the rationale behind creating a "Supplemental Reserve" or Tier II.

Surface Mining Permit Fees

One day of hearings was dedicated to examining the effects of proposed permit fees by the Office of Surface Mining on the domestic coal industry. The full Committee reviewed the coal industry's contention that these additional costs would only exacerbate the problems of the already depressed coal market and whether such a charge had public policy implications beyond the collection of fees.

Water Law Applicable During FERC Hydroelectric Licensing Proceedings

The full Committee held an oversight hearing on the consideration of applicable water law during the Federal Energy Regula-

tory Commission's hydroelectric licensing proceedings. The Committee considered the desirability of amending the Federal Power Act to reflect greater deference to State water law.

Water Supply in Mid-Atlantic Region

The full Committee held three days of hearings on Water Supply Issues in the Mid-Atlantic States which surround the Delaware River Basin: New Jersey, Pennsylvania, New York, and Delaware. The hearings focused on broad water supply issues in the four concerned States. The hearings were precipitated by the serious drought conditions in the Delaware basin and efforts to mitigate its effects.

Territories

In addition, the full Committee conducted an oversight hearing on the status of Micronesia.

LEGISLATIVE ACTIVITIES

During the 99th Congress, 11 Senate bills, four Senate resolutions, two Senate joint resolutions, two House bills, and one House joint resolution were referred, for consideration, to the full Committee. The full Committee held 7 days of legislative hearings.

Budget

Subsequent to submission of its annual reports to the Budget Committee, the Committee, during each session of the 99th Congress, reported legislation to comply with its reconciliation instructions.

First session.—On September 26, 1985, the Committee, in accordance with S. Con. Res. 32, the First Budget Resolution for Fiscal Year 1986, reported its legislative recommendations necessary to comply with its reconciliation instructions. The accomplished budgetary savings exceeded the Committee's targets in its reconciliation instruction for fiscal year 1986 by \$575 million in budget authority and \$516 million in outlays. In addition, the savings exceeded the targets for the aggregate 3-year period of fiscal years 1986 to 1989 by \$550 million in budget authority and \$476 million in outlays.

The recommendations of the Committee were consistent with the assumptions in S. Con. Res. 32 in two areas. The recommendations of the Committee achieved savings in DOE's Strategic Petroleum Reserve program by reducing the minimum average annual fill-rate from 159,000 to 35,000 barrels per day. The recommendations of the Committee also included legislation to settle the legal dispute between the Federal Government and several States regarding the disposition of escrowed revenues from the 8(g) zone of the Outer Continental Shelf.

In addition, the recommendations of the Committee achieved budgetary savings in two areas not assumed in its reconciliation instruction. First, the Committee suggested an authorization for the Department of Energy's uranium enrichment program, requiring the program to operate at no additional cost to the Treasury. Second, the Committee achieved savings in the DOE energy conservation programs by authorizing Federal agencies to enter into cer-

tain contracts for energy efficiency improvements in Federal buildings.

The Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272) contained provisions in each of these areas. In addition, the Act provided for termination of the United States Synthetic Fuels Corporation.

Second Session.—On July 29, 1986, the Committee, in accordance with S. Con Res. 120, the Concurrent Resolution on the Budget, Fiscal Year 1987, again reported its legislative recommendations necessary to comply with its reconciliation instruction. For fiscal year 1987, the Committee estimated that its recommendations would achieve savings in spending of \$132 million in budget authority and \$132 million in outlays compared to the SBC Baseline; and, for the 3-year period fiscal years 1986 through 1989, the Committee estimates that its recommendations would achieve aggregate savings in spending of \$246 million in budget authority and \$246 million in outlays.

Consistent with the assumptions in its reconciliation instruction, the recommendations of the Committee included provisions in two areas: first, recoupment of additional petroleum overcharge funds currently held in escrow in the *Stripper Well* case and other crude oil overcharge cases; and, second, recovery by the Federal Energy Regulatory Commission of its direct and indirect costs through the use of fees and annual charges assessed against all companies that are subject to FERC's jurisdiction.

The recommendations of the Committee also achieved savings in spending in four areas not assumed in its reconciliation instruction: (1) Federal energy management; (2) Doe Manufacturers Energy Consumption Survey; (3) DOE Study of Crude Oil Production and Refining Capacity in the United States; and (4) DOI Great Swamp National Wildlife Refuge.

The Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509) contained provisions in each of these areas.

Throughout the budgetary process the Committee opposed proposals to privatize the Power Marketing Administrations of the Department of Energy. The Committee also opposed (1) the imposition of entrance fees affecting Forest Service and other public lands, and (2) proposals to change the formula for the distribution to States and counties of Department of Agriculture timber sales receipts and Department of the Interior on-shore oil and gas leasing receipts on a net basis after deduction of program costs.

Energy

During the 99th Congress the following energy measures were referred, for consideration, to the full Committee: three Senate bills, one Senate resolution and one House bill. In addition, one House bill under the full Committee's jurisdiction was handled on the floor of the Senate without Committee referral.

Within the jurisdiction of the full Committee the principal energy legislative initiatives were included in the aforementioned reconciliation legislation. These initiatives included settlement of disposition of additional petroleum overcharge funds currently held in escrow in various crude oil and petroleum overcharge cases, the Strategic Petroleum Reserve (SPR), Federal energy management,

recovery by the Federal Energy Regulatory Commission of its direct and indirect costs, simplification of the DOE manufacturers energy consumption survey, uranium enrichment, and a study of the effect of oil imports on domestic crude oil production and refining capacity.

In addition, after extensive oversight hearings by the full Committee on international oil issues, the Congress enacted an extension of Titles I and II of the Energy Policy and Conservation Act (P.L. 99-58). These titles contain statutory authorities that are integral to the capability of the United States to respond domestically and internationally to severe energy supply interruptions.

The most important feature of Title I of EPCA is its authorization of the construction, filling and maintenance of the Strategic Petroleum Reserve (SPR). It also authorizes the drawdown and distribution of SPR oil in accordance with the provisions of a "distribution plan". This public law also authorized a one time test drawdown and distribution of the SPR through the sale or exchange of approximately 1,100,000 barrels of crude oil from the Reserve.

Title II of EPCA contains the basic statutory authority for the United States' participation in the international Energy Program, which is operated by the International Energy Agency.

In addition, following extensive oversight and legislative hearings on natural gas issues by the Subcommittee on Energy Regulation and Conservation, the full Committee held several business meetings; however, such legislation was not reported before adjournment.

The full Committee also held a hearing on S. 2073, dealing with the licensing of nuclear powerplants.

Natural resources

During the 99th Congress, seven natural resource measures were referred, for consideration, to the full Committee. The full Committee held 7 days of legislative hearings, one of which was held jointly with the Select Committee on Indian Affairs, on the following matters: settlement of water rights claims of the La Jolla, Rincon, San Pasqual, Puama, and Pala Bands of Mission Indians in San Diego County, CA.

Buy America.—After attempts by the House to include it in the joint resolution (H.J. Res. 738) making continuing appropriations for fiscal year 1987, the Senate defeated a "Buy America" amendment. The amendment would have required that any structure used on the Outer Continental Shelf (OCS) be built in the United States and that one-half, by cost, of the supplies, materials or articles used in the building of such structures be of U.S. origin. The Senate argued that currently 90 percent of the materials going into offshore oil platforms are made and produced in the United States, jobs would be lost to both the oil and steel industries, and the industry and government estimates indicate that these costs would make marginal prospects unaffordable which would further decrease the Nation's energy security.

Territories

During the 99th Congress, one Senate bill, three Senate joint resolutions, and two House bills concerning territorial affairs were referred to the full Committee.

The full Committee held three days of legislative hearings on the following matters:

Guam Organic Act (S. 1441);
Northern Mariana Islands financial assistance (S.J. Res. 192);

Compact of Free Association between the United States and Palau (S.J. Res. 325);

Revised Organic Act of the Virgin Island, Covenant to establish a Commonwealth of the Northern Mariana Islands, Organic Act of Guam, and governance of the insular areas of the United States (H.R. 2478); and

Amendment enacted by the legislation of the State of Hawaii to the Hawaiian Homes Commission Act, 1920 (H.J. Res. 17).

Four public laws were enacted including approval of the Compact of Free Association between the United States, the Marshall Islands, and the Federated States of Micronesia (P.L. 99-239) and approval of the Compact of Free Association between the United States and the Government of Palau (P.L. 99-658).

Each year the Congress normally enacts omnibus territories legislation. The 1986 Omnibus Territories Act (P.L. 99-396) contained 22 provisions affecting American Samoa, Guam, the Northern Mariana Islands, Trust Territory of the Pacific Islands, Puerto Rico, and the Virgin Islands, including the following major provisions:

(1) authorization for recall and initiative petitions on voting ballots in the Virgin Islands;

(2) approval of an agreement to provide Federal financial assistance to the Commonwealth of the Northern Mariana Islands;

(3) authorization for the EPA Administrator to modify certain grant requirements for awards to the territories;

(4) authorization of extension of U.S. non-citizen national status to certain persons in American Samoa having one parent of U.S. non-citizen national status;

(5) authorization for the Government of Guam to establish a Civil Service Commission, Office of Public Auditor and Office of Public Prosecutor; and

(6) exemption of certain payments to the territorial governments from the provisions of Public Laws 99-177 and 99-366, the so-called "Gramm-Rudman-Hollings Act".

MEASURES ENACTED INTO LAW

Public Law 99-58 (H.R. 1699), Mr. Sharp, et al.: An Act to extend title I and part B of title II of the Energy Policy and Conservation Act, and for other purposes.

Public Law 99-239 (H.J. Res. 187), Mr. Fascell, et al.: An Act to approve the "Compact of Free Association", and for other purposes.

Public Law 99-367 (S. 1068), Mr. Johnston and Mr. McClure: An Act to eliminate unnecessary paperwork and reporting requirements contained in Section 15(1) of the Outer Continental Shelf

Lands Act, and sections 601 and 606 of the Outer Continental Shelf Lands Act Amendments of 1978.

Public Law 99-396 (H.R. 2478), Mr. DeLugo: An Act to amend the Revised Organic Act of the Virgin Islands, to amend the Covenant to Establish a Commonwealth of the Northern Mariana Islands, to amend the Organic Act of Guam, to provide for the governance of the insular areas of the United States, and for other purposes.

Public Law 99-557 (H.J. Res. 17), Mr. Akaka, et al.: A resolution to consent to an amendment enacted by the legislation of the State of Hawaii to the Hawaiian Homes Commission Act, 1920.

Public Law 99-658 (H.J. Res. 626, Mr. Seiberling, et al. (S.J. Res. 325 and S. Con Res. 171, Mr. McClure)): A joint resolution to approve the "Compact of Free Association" between the United States and the Government of Palau, and for other purposes.

Related Public Laws

Public Law 99-24 (S. 781), An Act to amend the Biomass Energy and Alcohol Fuels Act of 1980 to clarify the intention of section 221 of the Act.

Public Law 99-272 (H.R. 3128): Title VI—Energy and related programs, Consolidated Omnibus Budget Reconciliation Act of 1985.

Public Law 99-509 (H.R. 5300): Title III—Energy and environmental programs, Omnibus Budget Reconciliation Act of 1986.

OTHER MEASURES ACTIVELY CONSIDERED

S. 979, Mr. McClure and Mr. Bingaman: A bill to extend the expiration date of titles I and II of the Energy Policy and Conservation Act, and for other purposes. (Senate passed H.R. 1699 in lieu of S. 979.) (See Public Law 99-58.)

S. 1441, Mr. McClure: A bill to amend the Guam Organic Act, and for other purposes. (Hearings held. S. Hrg. 99-515.)

S. 2676, Mr. Wilson and Mr. Cranston: A bill to provide for the settlement of water rights claims of the La Jolla, Rincon, San Pasqual, Puama, and Pala Bands of Mission Indians in San Diego County, CA, and for other purposes. (Joint hearing held by full Committee and Select Committee on Indian Affairs.) (Reported to the Senate with an amendment in the nature of a substitute and referred to the Committee on Energy and Natural Resources for a period not to exceed 15 calendar days. S. Rept. 99-485) (Discharged from the Committee.)

S. Con. Res. 171, Mr. McClure: A Senate concurrent resolution to correct the enrollment of H.J. Res. 626. (See Public Law 99-658.)

S.J. Res. 77, Mr. McClure: A joint resolution to approve the "Compact of Free Association" and for other purposes. (Senate passed H.J. Res. 187 in lieu of S.J. Res. 77.) (See Public Law 99-239.)

S.J. Res. 192, Mr. McClure (by request): A joint resolution to authorize financial assistance for the Northern Mariana Islands, and for other purposes. (Hearing held. S. Hrg. 99-515) (Reported to the Senate with an amendment in the nature of a substitute, and an amendment to the title. S. Rept. 99-262.)

S.J. Res. 235, Mr. McClure (by request): A joint resolution to approve the "Compact of Free Association" between the United

States and the Government of Palau, and for other purposes. (Hearings held. S. Hrg. 99-794) (Reported to the Senate with an amendment in the nature of a substitute and with a preamble. S. Rept. 99-403.) (See Public Law 99-658.)

H.R. 4878, Mr. Seiberling, et al.: A bill to require the Secretary of the Interior to submit to the House Interior and Insular Affairs Committee and the Senate Energy and Natural Resources Committee certain information regarding Micronesian governments. (Full Committee business meeting held.)

SUBCOMMITTEE ON ENERGY REGULATION AND CONSERVATION

DON NICKLES, Oklahoma, *Chairman*

MARK O. HATFIELD, Oregon
PETE V. DOMENICI, New Mexico
JOHN W. WARNER, Virginia
CHIC HECHT, Nevada
DANIEL J. EVANS, Washington

HOWARD M. METZENBAUM, Ohio
WENDELL H. FORD, Kentucky
BILL BRADLEY, New Jersey
JEFF BINGAMAN, New Mexico
JOHN D. ROCKEFELLER IV, West Virginia

JURISDICTION

During the 99th Congress the jurisdiction of the Subcommittee on Energy Regulation and Conservation included oversight and legislative responsibilities for Federal energy conservation programs; energy information; commercialization of new technologies (e.g., wind, solar, ocean thermal energy conversion); liquified natural gas projects; oil and gas pipelines and pipeline regulation; regulatory functions of ERA; refinery policy; gasoline rationing; natural gas pricing and regulation; emergency preparedness, petroleum allocation; and coal conversion (Fuel Use Act.)

OVERSIGHT ACTIVITIES

Eight days of oversight hearings on energy issues were held by the Subcommittee on Energy Regulation and Conservation as follows: Automobile Fuel Economy Standards (1 day); Industrial Energy Efficiency (1 day); natural gas issues (5 days), including review of FERC's Order No. 436 (2 days) and FERC's Notice of Proposed Rulemaking on Regulation of Natural Gas Pipelines after Partial Wellhead Decontrol (1 day); and the impact of imported petroleum products on the domestic petroleum industry (1 day).

Oversight activities of particular importance were:

Automobile fuel economy standards

The Subcommittee held a hearing on Automobile Fuel Economy Standards. Title V of the 1975 Energy Policy and Conservation Act initiated a requirement that each automobile manufacturer selling cars in the United States achieve an average new car fleet efficiency of a specified number of miles per gallon. The hearing studied the wide divergence in views about automobile fuel efficiency that has developed after nearly a decade with these standards, and how the standards have contributed to the goals of conserving domestic energy resources.

Domestic and international petroleum situation

The Subcommittee held a hearing on the impact of imported petroleum products on the domestic petroleum industry. The hearing addressed concerns by major oil companies and independents alike that imports of petroleum products—gasoline in particular—are ad-

versely affecting the domestic refining industry and U.S. energy security.

Industrial energy efficiency

The Subcommittee also held a hearing on innovative approaches in industrial energy efficiency. The hearing surveyed energy conservation issues in the industrial and commercial sectors.

Natural gas issues

The Subcommittee held 5 days of oversight hearings on natural gas issues, as well as legislative hearings. Included were 2 days of oversight hearings on the current state of, and the factors affecting, the natural gas market.

The Subcommittee also held a hearing on the Federal Energy Regulatory Commission's notice of proposed rulemaking (NOPR) on regulation of natural gas pipelines after partial wellhead decontrol. The hearing reviewed the NOPR, explored its implications for producers, pipelines, distribution companies, and consumers, and assessed its impact on the price and supply of natural gas.

In addition, the Subcommittee held 2 days of hearings on the Federal Energy Regulatory Commission's Order No. 436. Order No. 436 adopted final regulations creating a self-implementing voluntary natural gas transportation program and an optional expedited certificate procedure, and proposed a revised "block billing" procedure.

LEGISLATIVE ACTIVITIES

During the 99th Congress, 10 Senate bills, one Senate resolution, and two House bills were referred to the Subcommittee.

The Subcommittee held extensive hearings on natural gas legislation, including the Natural Gas Utilization Act of 1985 (S. 1251); S. 1302, amending the Natural Gas Policy Act; S. 2205, eliminating certain restrictions on the use of natural gas and petroleum; and S. 2285, promoting competition in the natural gas market, ensuring open access to transportation service, encouraging production of natural gas, providing natural gas consumers with adequate supplies at reasonable prices and eliminating demand restraints.

Subsequently, several business meetings were held by the full Committee on natural gas legislation, however, such legislation was not reported before adjournment.

In addition, the Subcommittee held hearings on energy legislation related to: S. 410, repealing the Commercial and Apartment Conservation Service; and S. 2781 and H.R. 5465, amending the Energy Policy and Conservation Act with respect to energy conservation standards for appliances.

MEASURES ENACTED INTO LAW

Public Law 99-412 (S. 410), Mr. Johnston, Mr. Warner, Mr. McClure, Mr. Murkowski, Mr. Tribble, and Mr. Nickles: An Act to repeal the provisions of the National Energy Conservation Policy Act which require electric and gas utilities to offer comprehensive site specific audit services to those customers who are owners of multifamily dwellings and commercial buildings.

OTHER MEASURES ACTIVELY CONSIDERED

S. 834, Mr. Bradley: A bill to increase competition in the transportation of gas. (Hearings held. S. Hrg. 99-868.)

S. 1251, Mr. Domenici, Mr. Johnston, Mr. Gramm, Mr. Bingaman, Mr. Hecht, Mr. Bumpers, and Mr. Long: A bill entitled the "Natural Gas Utilization Act of 1985." (Hearings held. S. Hrg. 99-689)

S. 1302, Mr. Nickles: A bill to amend the Natural Gas Policy Act of 1978, to protect consumers from market distortions that occur as a consequences of current partial regulation of natural gas prices by eliminating the remaining wellhead price regulation as contracts expire, or terminate, or are renegotiated, to permit natural gas contracts to reflect free market prices, to eliminate incremental pricing requirements for natural gas, to eliminate certain restrictions on the use of natural gas and petroleum, and for other purposes. (Hearings held. S. Hrg. 99-689)

S. 2205, Nickles and Mr. Boren: A bill to eliminate certain restrictions on the use of natural gas and petroleum, and for other purposes. (Hearings held. S. Hrg. 99-689)

S. 2285, Mr. McClure (by request) and Mr. Gramm: A bill to promote competition in the natural gas market, to ensure open access to transportation service, to encourage production of natural gas, to provide natural gas consumers with adequate supplies at reasonable prices, to eliminate demand restraints, and for other purposes. (Hearings held. S. Hrg. 99-689)

S. 2781, Mr. Evans, Mr. Johnston, Mr. Cranston, Mr. Matsunaga, Mr. Weicker, Mr. Ford, Mr. Melcher, Mr. Bumpers, Mr. Sarbanes, Mr. Grassley, Mr. D'Amato, Mr. Quayle, Mr. Pryor, Mr. Gore, Mr. Bentsen, Mr. Glenn, Mrs. Hawkins, Mr. Burdick, Mr. Moynihan, Mr. Kerry, Mr. Lugar, Mr. Heinz, Mr. Durenberger, Mr. Broyhill, Mr. Metzenbaum, Mr. Harkin, Mr. Rudman, Mr. Gorton, Mr. Domenici, Mr. Sasser, Mr. Riegle, Mr. Specter, Mr. Boschwitz, Mr. Kasten, Mr. Wilson, Mr. Levin, Mr. Danforth, and Mr. Biden: A bill to amend the Energy Policy and Conservation Act with respect to energy conservation standards for appliances. (Hearings held. S. Hrg. 99-943.) (H.R. 5465 reported amended in lieu of S. 2781. S. Rept. 99-497)

H.R. 5465, Mr. Markey, et al.: A bill to amend the Energy Policy and Conservation Act with respect to energy conservation standards for appliances. (Full Committee business meeting; ordered reported amended. S. Rept. 99-497.) (Passed Senate.) (House agreed to Senate amendments.) (On November 1, 1986, the President pocket vetoed the bill.)

SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT

PETE V. DOMENICI, New Mexico, *Chairman*

JOHN W. WARNER, Virginia

CHIC HECHT, Nevada

DANIEL J. EVANS, Washington

MALCOLM WALLOP, Wyoming

WENDELL H. FORD, Kentucky

DALE BUMPERS, Arkansas

HOWARD M. METZENBAUM, Ohio

JOHN D. ROCKEFELLER IV, West Virginia

JURISDICTION

The jurisdiction of the Subcommittee on Energy Research and Development included oversight and legislative responsibilities for nuclear R&D; coal and synfuels R&D; nuclear and non-nuclear energy commercialization projects; nuclear fuel cycle policy, including uranium resources; Synthetic Fuels Corporation; new technologies R&D (e.g., conservation, solar, OTEC, and MHD); nuclear insurance and facilities siting; and breeder reactor development.

OVERSIGHT ACTIVITIES

The Subcommittee on Energy Research and Development held 13 days of energy oversight hearings on the President's proposed fiscal year 1986 and 1987 budgets for Department of Energy research and development and programs (9 days); the Mission Plan for the civilian radioactive waste management program (1 day); the second waste repository site selection under DOE's Office of Civilian Radioactive Waste Management (1 day); clean coal technologies (1 day); and technology transfer (1 day).

Oversight activities of particular importance were:

Clean coal technologies

The Subcommittee held a hearing on the Department of Energy's "Report to the Congress: Emerging Clean Coal Technologies." The Secretary of Energy solicited from the private sector "statements of interest in, and proposals for projects employing emerging clean coal technologies." These solicitations were to then be analyzed and a report submitted that "assesses the potential usefulness of each emerging clean coal technology" and "identifies the extent to which Federal incentives, including financial assistance, will accelerate the commercial availability of these technologies."

Second waste repository site selection under DOE's office of civilian radioactive waste management

The Subcommittee also held a hearing on the Department of Energy's site selection activities relating to the second high-level nuclear waste repository. The Nuclear Waste Policy Act (NWPA) of 1982 contains two major provisions with respect to siting activities for a second waste repository. Site selection activities with respect to the second repository were indefinitely postponed by the DOE. This hearing revisited the original intent of the NWPA, to gain a

better understanding of the basis of the Department's decision, and to afford the Department an opportunity to hear the reactions of various elected officials and interested public parties to the Department's recent announcement.

LEGISLATIVE ACTIVITIES

During the 99th Congress, 18 Senate bills and one Senate resolution were referred to the Subcommittee. The Subcommittee held two legislative hearings, one of which was a joint hearing with House Interior Subcommittee on Energy and the Environment, on S. 1004, dealing with uranium mill tailings cleanup and other uranium issues. The full Committee addressed this bill during two business meetings, and reported S. 1004 on September 19, 1986.

The Subcommittee also held one hearing on S. 1225, to reauthorize the Price-Anderson Act. Following four full Committee business meetings, this bill was reported on May 21, 1986.

The Subcommittee also held a joint hearing with the Environmental and Public Works Subcommittee on Nuclear Regulation, on S. 1517, to amend the Low-Level Radioactive Waste Policy Act of 1980. The bill was the subject of three full Committee business meetings, after which the bill was reported to the Senate on November 22, 1985. A similar bill, H.R. 1083, was enacted into law (P.L. 99-240) on January 15, 1986.

In addition, a single subcommittee hearing was held on two related bills, S. 1686 and S. 1687, dealing with fuel cell technology. S. 1687 was later reported, following a September 24, 1986 full Committee business meeting.

In related actions, the Congress, in the Continuing Appropriations Act for fiscal year 1987 (P.L. 99-500), reduced by \$179 million the funding for nuclear waste disposal, and provided no funds for exploratory shaft work during fiscal year 1987. Of the \$499 million appropriated for the Nuclear Waste Disposal Fund, \$79 million will be made available subject to certification by the Secretary of Energy that he has made good faith efforts with respect to consultation with the States selected for site characterization.

Also contained in the Conference Room Report (99-1005) accompanying Public Law 99-500 is language approving, subject to certain modifications, the Department of Energy's revised uranium enrichment criteria.

MEASURES ENACTED INTO LAW

Public Law 99-240 (H.R. 1083, Mr Udall (S. 1715, Mr. McClure)): An act to amend the Low-Level Radioactive Waste Policy Act to improve procedures for the implementation of compacts providing for the establishment and operation of regional disposal facilities for low-level radioactive waste, and for other purposes.

Related public laws

Public Law 99-24 (S. 781) Mr. Exon, Mr. Cohen, Mr. Zorinsky, Mr. Mitchell, and Mr. Abdnor: An act to amend the Biomass Energy and Alcohol Fuels Act of 1980 to clarify the intention of section 221 of the Act.

OTHER MEASURES ACTIVELY CONSIDERED

S. 1004, Mr. Domenici, Mr. Simpson, Mr. Bingaman, Mr. Wallop, Mr. Garn, and Mr. Hatch: A bill to authorize and direct the Secretary of Energy to establish a program to provide for reclamation and other remedial actions with respect to mill tailings at active uranium and thorium processing sites. (Hearings held. S. Hrg. 99-673.) (Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title. S. Rept. 99-464.)

S. 1225, Mr. Simpson, and Mr. McClure: A bill to amend the Atomic Energy Act of 1954, as amended, to establish a comprehensive, equitable, reliable and efficient mechanism for full compensation of the public in the event of an accident resulting from activities undertaken under contract with the Department of Energy or activities undertaken by Nuclear Regulatory Commission licensees involving nuclear materials. (Hearings held. S. Hrg. 99-439.) (Reported to the Senate. S. Rept. 99-310.)

S. 1517, Mr. McClure: A bill to amend the Low-Level Radioactive Waste Policy Act of 1980 to authorize continued financial and technical assistance of the Department of Energy to the regional low-level waste compact regions, and to revise the guidelines and procedures for the establishment and use of regional disposal facilities for low-level radioactive waste, and for other purposes. (Hearings held. S. Hrg. 99-349.) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 99-199.) (See Public Law 99-240.)

S. 1686, Mr. Matsunaga, Mr. Weicker, Mr. Hollings, Mr. Murkowski, Mr. Inouye, and Mr. Bingaman: A bill entitled the "Renewable Energy/Fuel Cell Systems Integration Act of 1985. (Hearings held. S. Hrg. 99-595.)

S. 1687, Mr. Matsunaga, Mr. Weicker, Mr. Hollings, Mr. Murkowski, and Mr. Inouye: A bill to develop a national policy for the utilization of fuel cell technology. (Hearings held. S. Hrg. 99-595.) (Reported to the Senate with amendments. S. Rept. 99-516.)

S. 2073, Mr. McClure (by request), Mr. Warner, and Mr. Johnston: A bill to encourage the standardization of nuclear powerplants, to improve the nuclear licensing and regulatory process, to amend the Atomic Energy Act of 1954, and for other purposes. (Hearings held. S. Hrg. 99-657.)

SUBCOMMITTEE ON NATURAL RESOURCES DEVELOPMENT AND PRODUCTION

JOHN W. WARNER, Virginia, *Chairman*

LOWELL P. WEICKER, Jr., Connecticut

MALCOLM WALLOP, Wyoming

FRANK H. MURKOWSKI, Alaska

DON NICKLES, Oklahoma

JOHN MELCHER, Montana

DALE BUMPERS, Arkansas

JEFF BINGAMAN, New Mexico

JOHN D. ROCKEFELLER IV, West Virginia

JURISDICTION

The jurisdiction of the Subcommittee on Natural Resources Development and Production included oversight and legislative responsibilities for energy and nonfuel mineral resources; Federal mineral leasing; national mining and minerals policy and general mining laws; surface mining, reclamation and enforcement; coal production, distribution, and utilization; oil and gas production and distribution; mining education and research; minerals exploration, development and production from public and acquired lands; mineral conservation, royalty management; coal severance tax, naval petroleum and oil shale reserves; deep water ports; and deep seabed mining.

OVERSIGHT ACTIVITIES

The Subcommittee held 4 days of energy oversight hearings on: prospects for the export of American coal (1 day); the impact of coal and electricity imports on the domestic coal industry (2 days); and the state of the coal industry in Oklahoma (1 day).

The Subcommittee also held 2 days of oversight hearings on natural resource issues: impact of the coal industry on the Office of Surface Mining's proposed rulemaking to collect permit application fees (1 day); and mining industry in the Northwest (1 day).

Oversight activities of particular importance were:

Coal imports

The Subcommittee held a hearing on the impact of coal imports on the domestic coal industry. The hearing was precipitated by the signing of contracts with Colombia for 500,000 tons of coal per year for power generation. The threat was perceived to be two-fold: displacement of domestic coal production by imports, and the direct loss of employment attributable to imports. The Committee examined the public implications of additional coal imports, including trade, energy, employment and transportation policies.

Impacts of coal and electricity imports on the domestic coal industry

The Subcommittee held a hearing on the impact of coal and electricity imports on the U.S. coal industry. The hearing focussed on the impact of coal imports from Colombia based on a report from the Energy Information Administration mandated by Congress

through the National Coal Imports Reporting Act of 1985. The hearing also addressed the displacement of Appalachian coal with Canadian electricity and the possible effect it may have in that coal region.

Prospects for exporting American coal

The Subcommittee held a hearing on the prospects for exporting American coal. Witnesses offered recommendations on increasing coal exports and improving the competitiveness of American coal in world markets. The testimony reviewed (a) the changing nature of international coal trade and the implications for U.S. exporters and exports; (b) the current export promotion activities of the International Trade Administration designed to enhance the competitive strengths of our coal exporting industry, and counterbalance both domestic and international constraints to U.S. coal exports; and (c) the status of the Federal Coal Export Commission. Coal transportation issues such as railroad deregulation, maintenance and improvement of inland waterways, port improvements, coal slurry eminent domain, and cargo preference were also discussed.

LEGISLATIVE ACTIVITIES

During the 99th Congress 16 Senate bills, and one House bill within the Subcommittee's jurisdiction were either referred to the Subcommittee or handled on the floor of the Senate without Committee referral. The Subcommittee held 9 days of legislative hearings. One of these measures was enacted into law.

The Subcommittee also held 3 days of hearings on legislation relating to:

- improving the administration of the Federal coal leasing program (S. 372, S. 579, S. 913, S. 946);

- directing the cooperation of certain Federal entities in the implementation of the Continental Scientific Drilling Program (S. 1026); and

- amending the Geothermal Steam Act of 1970 (S. 1322).

In addition, the Federal Coal Leasing Program amendments were also taken up at full Committee Business meetings during which S. 2427 was ordered reported, as amended, as the vehicle for this legislation (S. Rept. No. 99-436.)

MEASURES ENACTED INTO LAW

Public Law 99-507, (H.R. 4212), Ms. Mikulski: An Act to provide for the reauthorization of the Deep Seabed Hard Mineral Resources Act, and for other purposes.

Related public laws

Public Law 99-509 (H.R. 5300), Omnibus Budget Reconciliation Act of 1986, Title III—Energy and Environmental Programs, SEC. 3501. Abandoned Mine Reclamation Research and Development.

OTHER MEASURES ACTIVELY CONSIDERED

S. 372, Mr. Johnston: A bill to amend the Minerals Lands Leasing Act of 1920, and for other purposes. (Hearings held. S. Hrg. 99-417)

S. 570, Mr. Wallop, Mr. Simpson, and Mr. Hatch: A bill to amend the Mineral Lands Leasing Act of 1920 to improve the administration of the Federal coal leasing program, and for other purposes. (Hearings held. S. Hrg. 99-417)

S. 811, Mr. Garn and Mr. Hatch: A bill to clarify the treatment of mineral materials on public lands. (Ordered reported, full Committee business meeting. S. Rept. 99-121) (Passed Senate.)

S. 913, Mr. Ford: A bill to amend the Mineral Lands Leasing Act of 1920 to improve the administration of the Federal coal leasing program, and for other purposes. (Hearings held. S. Hrg. 99-417)

S. 946, Mr. Ford: A bill to amend the Federal Coal Leasing Amendments Act of 1976, and for other purposes. (Hearings held. S. Hrg. 99-417)

S. 1026, Mr. Pressler, Mr. Durenberger, Mr. Matsunaga, Mr. Domenici, Mr. Nickles, Mr. Stevens, Mr. Bentsen, Mr. Warner, Mr. Murkowski, Mr. Dixon, Mr. Simon, Mr. Gramm, Mr. Bingaman, and Mr. Abdnor: A bill to direct the cooperation of certain Federal entities in the implementation of the Continental Scientific Drilling Program. (Hearings held. S. Hrg. 99-902.) (Reported to the Senate without amendment. S. Rept. 99-456) (Passed Senate.)

S. 1322, Mr. Hecht, Mr. Murkowski, Mr. Evans, Mr. McClure, Mr. Laxalt, Mr. Matsunaga, Mr. Stevens, Mr. Hatch, Mr. Hatfield, Mr. Garn, Mr. Nickles, Mr. Symms, Mr. Wilson, Mr. Inouye, Mr. Packwood, and Mr. Gorton: A bill to amend the Geothermal Steam Act of 1970. (Hearings held. S. Hrg. 99-666)

S. 2439, Mr. Bumpers and Mr. Bradley: A bill to amend the Act of February 25, 1920, to provide for competitive leasing of oil and gas for onshore Federal lands and for other purposes. (Full Committee business meeting held.) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept 99-412)

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION

MALCOLM WALLOP, Wyoming, *Chairman*

LOWELL P. WEICKER, Jr., Connecticut

CHIC HECHT, Nevada

MARK O. HATFIELD, Oregon

PETE V. DOMENICI, New Mexico

FRANK H. MURKOWSKI, Alaska

DALE BUMPERS, Arkansas

JOHN MELCHER, Montana

BILL BRADLEY, New Jersey

JEFF BINGAMAN, New Mexico

JURISDICTION

The jurisdiction of the Subcommittee on Public Lands, Reserved Water and Resource Conservation included oversight and legislative responsibilities for the public lands administered by the Bureau of Land Management, National Forest System, National Park System, National Wilderness Preservation System, and Wild and Scenic Rivers System; National Trail System; establishment of wildlife refuges on public lands; Alaska Native Claims Settlement Act; Alaska National Interest Lands Conservation Act; reserved water rights; military land withdrawals; national recreation areas; national monuments; historic sites; military parks and battlefields; Land and Water Conservation Fund; historic preservation; renewable resources; outdoor recreation resources; and on the public domain, preservation of prehistoric ruins and objects of interest.

OVERSIGHT ACTIVITIES

The Subcommittee held 5 days of oversight hearings on:

Preserving Archaeological and Paleontological Sites and Objects (1 day);

National Park System (1 day);

Memorials and Monuments on Federal and District Lands in the District of Columbia (1 day);

Recreation Fees as Authorized in the Land and Water Conservation Fund Act of 1965, as amended (1 day); and

Public Land Access (1 day).

Natural resource issues of particular oversight concern to the Subcommittee included:

Archaeological and paleontological sites

The Subcommittee held a hearing on the preservation of archaeological and paleontological sites and objects. The Subcommittee reviewed how effectively the land managing agencies are carrying out their responsibilities to manage, protect and preserve archaeological and paleontological sites and objects. Testimony from archaeologists, paleontologists, curators, law enforcement officials and land managers identified the problems connected with protection, access, curation, enforcement and management on these sites.

National Park Service

The Subcommittee held a hearing which focused on issues affecting the National Park Service. The Subcommittee reviewed (a) the report of the Conservation Foundation entitled "National Parks for a New Generation"; (b) the future of the National Park System by discussing with the new Director of the Park Service his 12 points for guiding and managing the national parks, and (c) travel and tourism effects on the National Park System.

Recreation fees

The Subcommittee held a hearing on recreation fees as authorized in the Land and Water Conservation Fund Act of 1965, as amended. The purpose of the hearing was to provide an opportunity to examine the matter of increasing the money received by the Federal Government and its park, forest, reservoir and public land areas used for recreation purposes. Because budget recommendations submitted to the Congress this year placed heavy reliance upon the increase of existing fees and the imposition of new fees upon recreation users as a means of generating additional income, the hearing would serve to prepare Congress to deal with an Administration legislative proposal to implement these budget recommendations, should it be forthcoming.

LEGISLATIVE ACTIVITIES

During the 99th Congress, 119 Senate bills, one Senate resolution, nine Senate joint resolutions, 57 House bills, five House joint resolutions, and one House concurrent resolution were referred to the Subcommittee. An additional nine House bills were held at the Senate desk without Committee referral.

The Subcommittee conducted 36 days of legislative hearings. The Congress enacted 58 public laws within the jurisdiction of the Subcommittee. As discussed below, those of particular interest are the Great Basin National Park, Emergency Wetlands Resources Act of 1986, Quiet Title Act Amendments, ski area permits, and water conveyance systems.

Emergency Wetlands Resources Act of 1986

This public law extends through fiscal year 1988 the authorization for appropriations to the migratory bird conservation account. The cumulative ceiling for such appropriations, which are currently treated as advances from the general treasury, would remain unchanged at \$200 million. The law also amends the Wetlands Loan Act so that funds appropriated to the migratory bird conservation fund would no longer be treated as advances, making repayment of previously appropriated funds unnecessary.

Title II authorizes the Secretary of the Interior to change admission fees at certain units of the National Wildlife Refuge System and to deposit the receipts collected, less 30 percent, into the migratory bird conservation fund. The U.S. Fish and Wildlife Service (USFWS) would also be authorized to sell Golden Eagle Passports, the receipts from which would be treated in the same manner as admission fees. Monies not deposited into the account could be used by the agency for collection costs and routine operating expenses at

refuges. Section 202 of the Act would raise the price of duck stamps to \$10 per year for hunting years 1987 and 1988, to \$12.50 per year for hunting years 1989 and 1990, and to \$15 per year for each hunting year thereafter. Section 203 would provide for the transfer to the migratory bird conservation fund amounts equal to revenues collected on firearms and ammunition import duties.

Title III requires the Secretary to establish a national wetlands priority conservation plan. The bill would also remove existing restrictions against the use of funds in the Land and Water Conservation Fund for wetlands acquisition.

Title IV directs the USFWS to continue the national wetlands inventory project and submit a report to the Congress regarding wetlands losses in the United States.

Great Basin National Park

Public Law 99-565 (s. 2566) authorizes the transfer of approximately 96,000 acres of land located in the South Snake Range Unit of the Humboldt National Forest to the National Park Service and would establish the Great Basin National Park. Grazing would continue subject to such terms and conditions deemed necessary for good range management. Grazing permittees would be able to request the Secretary of Agriculture to negotiate an exchange of their grazing allotment out of the park. The Public Law includes a disclaimer with respect to the establishment of United States water rights, and it requires that any land be acquired only with the consent of the owner. This is the first addition to the National Park System in 6 years.

Military withdrawals

Public Law 99-606 (H.R. 1790) withdraws approximately 7 million acres of Federally-owned land in Nevada, Arizona, New Mexico, and Alaska, and reserves them for use by the Army, Air Force and the Navy. The lands, which are currently being used for the military purposes specified in the Act and administered by DOI, remain available for renewable periods of 15 years for various defense-related purposes, including armament testing, aerial gunnery and bombing training. DOI would be required to continue to manage the withdrawal lands, to publish maps and legal descriptions on the lands, and to develop management plans for all withdrawn lands within 5 years of passage. DOI would also be required to identify lands within certain of the withdrawal areas suitable for certain mineral and geothermal activities and to promulgate regulations for the use of these lands for mining development.

Quiet Title Act amendments

Public Law 99-598 (H.R. 2484) amends the Quiet Title Act (86 Stat. 1176; 28 U.S.C. 2409a) to exempt the States from the 12-year statute of limitation applicable to quiet title actions against the United States. The Quiet Title Act was intended by Congress to provide a limited waiver of sovereign immunity in quiet title actions. Care was taken to prevent assertion of stale claims by providing the 12-year statute of limitation. A May 1983 Supreme Court decision (*Block v. North Dakota*, 461 U.S. 273) verified that the Quiet Title Act provides the exclusive authority under which

States may judicially challenge the title of the United States to real property and that the statute of limitation is applicable to a State. The public law's purpose is to obtain more effective administration of public lands by providing more speedy resolution of intergovernmental title disputes.

Ski area permits

Public Law 99-522 (S. 2266) would establish new authority for issuance of all commercial alpine and nordic skiing area facility special-use permits on National Forest System lands. The Act extends the present authority governing the term of the permit from a maximum of 30 years to a maximum of 40 years. A shorter permit term may be used if the Secretary of Agriculture determines that the facilities or operations are of a scale or nature as are not likely to require long-term financing or operations. The bill allows ski area permits to encompass such acreage as the Secretary determines sufficient and appropriate to accommodate the permittee's needs for ski operations and ancillary facilities.

The Act also provides authority to the Secretary to issue a single permit for ski slopes, parking lots, and other lands and buildings covering an acreage that the Secretary determines sufficient and appropriate to accommodate the permittee's overall ski operation and facilities.

Water conveyance systems

The purpose of Public Law 99-545 (H.R. 2921) is to resolve the statute of certain water conveyance systems now in place on National Forest System lands most of which are subject to special-use permits issued by the Forest Service. The legal status of some rights-of-way was placed in doubt when the statutory authority permitting their operation was repealed by FLPMA. Furthermore, some water conveyance systems in existence for 50 or more years do not have clear legal status and hence may be in trespass on National Forest System lands.

The Act declares that all water conveyance systems that were in place or under construction before October 21, 1976, the date of enactment of FLPMA, could be given a permanent easement at no cost to the holder.

MEASURES ENACTED INTO LAW

Public Law 99-68 (H.R. 1373), Mr. Seiberling, et al.: An Act to designate the wilderness in the Point Reyes National Seashore in California as the Phillip Burton Wilderness.

Public Law 99-96 (S. 444), Mr. Murkowski and Mr. Stevens: An Act to amend the Alaska Native Claims Settlement Act.

Public Law 99-110 (H.J. Res. 299), Mr. Bustamante, et al.: An Act recognizing the accomplishments over the past 50 years resulting from the passage of the Historic Sites Act of 1935, one of this Nation's landmark preservation laws.

Public Law 99-187 (S. 1116), Mr. Warner, Mr. Hollings, Mr. Thurmond, Mr. Dodd, Mr. Metzenbaum, and Mr. Kennedy: An Act to amend the Act of October 15, 1982, entitled "An Act to designate

the Mary McLeod Bethune Council House in Washington, District of Columbia, as a national historic site, and for other purposes."

Public Law 99-192 (H.R. 3735), Mrs. Holt, et al.: An Act to designate the pedestrian walkway crossing the Potomac River at Harpers Ferry National Historical Park as the "Goodloe E. Byron Memorial Pedestrian Walkway".

Public Law 99-200 (H.R. 3085), Mr. Lehman, of California, et al.: An Act to clear title to certain lands along the California-Nevada Boundary.

Public Law 99-215 (H.R. 3003), Mr. Hoyer, et al.: An Act to authorize the Secretary of the Interior to convey certain land located in the State of Maryland to the Maryland-National Capital Park and Planning Commission.

Public Law 99-235 (H.R. 2651), Mr. Young, of Alaska: An Act to amend section 504 of the Alaska National Interest Lands Conservation Act to promote the development of mineral wealth in Alaska.

Public Law 99-250 (H.R. 1185), Mr. Udall: An Act to amend the Act establishing the Petrified Forest National Park.

Public Law 99-258 (H.R. 3851), Mr. Young, of Alaska: An Act to amend section 901 of the Alaska National Interest Lands Conservation Act.

Public Law 99-296 (S.J. Res. 187), Mr. Warner and Mr. Tribble: An Act to designate Patrick Henry's last home and burial place, known as Red Hill, in the Commonwealth of Virginia, as a National Memorial to Patrick Henry.

Public Law 99-300 (H.R. 4022), Mr. Breaux: An Act to direct release of restrictions, conditions, and limitations on the use or conveyance of certain real property located in Calcasieu Parish, Louisiana.

Public Law 99-343 (H.R. 1740), Mr. Nelson: An Act to direct the Secretary of the Interior to release a reversionary interest in certain lands in Orange County, Florida which was previously conveyed to Orange County, Florida.

Public Law 99-344 (H.R. 1795), Mr. Dowdy: An Act to amend certain lands in the State of Mississippi from a restriction set forth in the Act of April 21, 1806.

Public Law 99-358 (S. 1625), Mr. Laxalt and Mr. Hecht: An Act to authorize the conveyance of 470 acres in Nevada to the University of Nevada for use as a research and development center.

Public Law 99-387 (H.R. 850), Ms. Vucanovich: An Act to modify the boundary of the Humboldt National Forest in the State of Nevada, and for other purposes.

Public Law 99-388 (H.R. 1963), Mr. Murtha: An Act to increase the development ceiling at Allegheny Portage Railroad National Historical Site and Johnstown Flood National Memorial in Pennsylvania, and for other purposes, and to provide for the preservation and interpretation of the Johnston Flood Museum in the Cambridge County Library Building.

Public Law 99-389 (H.R. 3212), Ms. Vucanovich, et al.: An Act to declare that the United States holds certain lands in trust for the Reno Sparks Indian Colony.

Public Law 99-390 (H.R. 3556), Mr. Whitehurst: An Act to provide for the exchange of land for the Cape Henry Memorial site in Fort Story, VA.

Public Law 99-395 (H.R. 1343), Mr. Burton, of California: An Act to authorize the use of funds from rental of floating drydock and other marine equipment to support the National Maritime Museum in San Francisco, California, and for other purposes.

Public Law 99-402 (S. 1888), Mr. Bumpers, Mr. Bradley, Mr. Andrews, Mr. Ford, Mr. Durenberger, Mr. Rockefeller, Mr. Hecht, Mr. DeConcini, Mr. Danforth, Mr. Inouye, Mr. Grassley, Mr. Kerry, Mr. Eagleton, Mr. Bingaman, Mr. Pryor, Mr. Dixon, Mr. Evans, Mr. Murkowski, Mr. Domenici, Mr. Wallop, and Mr. Nickles: An Act to provide for a program of cleanup and maintenance on Federal public lands, national parks, recreation areas, and for other purposes.

Public Law 99-420 (S. 720), Mr. Mitchell and Mr. Cohen: An Act to establish a permanent boundary for the Acadia National Park in the State of Maine, and for other purposes.

Public Law 99-427 (S. 1963), Mr. Domenici and Mr. Bingaman: An Act to direct the Secretary of the Interior to convey certain lands in Socorro County, NM, to the New Mexico Institute of Mining and Technology.

Public Law 99-445 (S. 1542), Mr. McClure (by request); Mr. Baucus, Mr. Melcher, and Mr. Symms: An Act to amend the National Trails System Act by designating the Nez Perce (Nee-Me-Poo) Trail as a component of the National Trails System.

Public Law 99-450 (S. 1696), Mr. Goldwater, Mr. Simpson, Mr. Hecht, Mr. Wilson, Mr. Laxalt, Mr. Garn, Mr. Wallop, Mr. Hatch, Mr. Armstrong, and Mr. Domenici: An Act to establish a federally declared floodway for the Colorado River below Davis Dam.

Public Law 99-456 (S. 1766), Mr. Mathias, Mr. Sarbanes, Mr. Laxalt, Mr. Matsunaga, Mr. Danforth, Mr. Nunn, Mr. Lugar, Mr. Bentsen, Mr. Thurmond, Mr. Garn, Mr. Grassley, Mr. Goldwater, Mr. Chafee, Mr. Ford, Mr. Abdnor, Mr. Hollings, Mr. Levin, Mr. Gorton, Mr. Rockefeller, Mr. Evans, Mr. Exon, Mr. Hatch, Mr. Chiles, and Mr. Specter: An Act to designate the Cumberland terminus of the Chesapeake and Ohio Canal National Historical Park in honor of J. Glenn Beall, Sr.

Public Law 99-497 (H.R. 2182), Mr. Shumway: An Act to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Company.

Public Law 99-504 (S. 816), Mr. Exon and Mr. Zorinsky: An Act to establish the Pine Ridge Wilderness and Soldier Creek Wilderness in Nebraska National Forest in the State of Nebraska, and for other purposes.

Public Law 99-511 (H.J. Res. 666), Mr. Leland, et al.: A resolution expressing the sense of the Congress in support of a commemorative structure within the National Park System dedicated to the promotion of understanding, knowledge, opportunity and equality for all people.

Public Law 99-515 (H.R. 1593), Mr. Stump, et al. (S. 1638, Mr. Goldwater): A bill to direct the Secretary of the Interior to release on behalf of the United States certain restrictions in a previous conveyance of land to the town of Jerome, Arizona.

Public Law 99-517 (H.R. 3005), Mr. Marlenee (S. 829, Mr. Melcher and Mr. Baucus): A bill to direct the Secretary of the Interior

to convey certain lands, withdrawn by the Bureau of Reclamation for townsite purposes, to the Huntley Project Irrigation District, Ballantine, Montana.

Public Law 99-522 (S. 2266), Mr. Wallop, Mr. Cranston, Mr. Hecht, Mr. Simpson, Mr. Symms, Mr. Hatch, Mr. Garn, Mr. Hart, Mr. Pressler, Mr. McClure, Mr. Baucus, Mr. Laxalt, and Mr. Stevens: An Act to establish a ski area permit system on national forest lands established from the public domain, and for other purposes.

Public Law 99-530 (H.R. 2826), Mr. Hendon: An Act to amend the Wild and Scenic Rivers Act by designating a segment of the Horsepasture River in the State of North Carolina as a component of the Wild and Scenic Rivers System.

Public Law 99-531 (S. 2370), Mr. Murkowski, Mr. Moynihan, Mr. Pell, Mr. DeConcini, Mr. Goldwater, Mr. Zorinsky, Mr. Denton, Mr. Garn, Mr. Mathias, and Mr. Stennis: An Act to allow the Francis Scott Key Foundation, Inc. to erect a memorial in the District of Columbia.

Public Law 99-542 (H.R. 1390), Mr. Coelho: An Act to authorize additional long-term lease in the El Portal administrative site adjacent to Yosemite National Park, California, and for other purposes.

Public Law 99-543 (H.R. 2067), Mr. Shumway: An Act to validate conveyance of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Company.

Public Law 99-545 (H.R. 2921), Mr. Strang: An Act to authorize the Secretary of Agriculture to issue permanent easements for water conveyance systems in order to resolve title claims arising under acts repealed by the Federal Lands Policy and Management Act of 1976, and for other purposes.

Public Law 99-548 (H.R. 3352), Mr. Reid: An Act to transfer certain real property to the City of Mesquite, Nevada.

Public Law 99-558 (H.J. Res. 142), Mr. Johnson (S.J. Res. 143, Mr. Gore, Mr. Boschwitz, Mr. Burdick, Mr. Danforth, Mr. Lugar, Mr. Danforth, Mr. Hollings, Mr. Inouye, Mr. Chiles, Mr. Levin, Mr. Hatch, Mr. Sarbanes, Mr. Riegle, Mr. Melcher, Mr. Murkowski, Mr. Rockefeller, Mr. Andrews, Mr. Nickles, Mr. Mathias, Mr. Heinz, Mr. Garn, Mr. Hatch, Mr. Metzenbaum, and Mr. Grassley): A joint resolution to authorize the Black Revolutionary War Patriots Foundation to establish a memorial in the District of Columbia at an appropriate site in Constitution Gardens.

Public Law 99-564 (S. 2320), Mr. Inouye and Mr. Matsunaga: An Act to amend an Act to add certain lands on the Island of Hawaii to Hawaii Volcanoes National Park, and for other purposes.

Public Law 99-565 (S. 2506), Mr. Hecht and Mr. Laxalt: An Act to establish a Great Basin National Park in the State of Nevada and for other purposes.

Public Law 99-572 (H.R. 2205), Mr. Nickles and Mr. Boren: An Act to eliminate certain restrictions on the use of natural gas and petroleum, and for other purposes.

Public Law 99-581 (H.R. 2776), Mr. Fauntroy: An Act to amend the District of Columbia Stadium Act of 1957 to direct the Secretary of the Interior to convey title to the Robert F. Kennedy Memorial Stadium to the District of Columbia.

Public Law 99-583 (H.R. 4037), Mr. Visclosky, et al.: An Act relating to the Indiana Dunes National Lakeshore, and for other purposes.

Public Law 99-587 (H.R. 5459), Mr. Hansen: An Act to direct the Secretary of the Interior to release, on behalf of the United States, certain conditions and reservations contained in a conveyance of land to the State of Utah.

Public Law 99-590 (H.R. 4350), Mr. Vento, et al.: An Act to amend the Wild and Scenic Rivers Act, and for other purposes.

Public Law 99-598 (H.R. 2484, Mr. Berman, et al. (S. 1617, Mr. Wallop, Mr. Andrews, Mr. Abdnor, Mr. Simpson, Mr. Laxalt, Mr. Burdick, Mr. Melcher, Mr. Stevens, and Mr. Hecht)): An Act to amend title 28, United States Code, to exempt States from the statute of limitations applicable to quiet title actions against the United States.

Public Law 99-600 (H.R. 5167), Mr. Richardson, et al.: An Act to declare that the United States holds certain public domain lands in trust for the Pueblo of Zia.

Public Law 99-606 (H.R. 1790), Mrs. Byron: An Act to withdraw certain public lands for military purposes and for other purposes.

Public Law 99-610 (H.J. Res. 36), Mrs. Oakar, et al.: An Act authorizing establishment of a memorial in the District of Columbia or its environs.

Public Law 99-620 (S.J. Res. 43), Mr. Thurmond, Mr. Warner, Mr. Tribble, Mr. Hollings, Mr. Inouye, Mr. Nickles, Mr. Roth, Mr. Rockefeller, and Mr. Levin: An Act to authorize the Armored Force Monument Committee, the U.S. Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th Armored Division Associations, and the Council of Armored Division Associations, jointly to erect a memorial to "American Armored Force" on U.S. Government property in Arlington, Virginia, and for other purposes.

Public Law 99-632 (S. 565), Mr. DeConcini: An Act to direct the Secretary of Agriculture to convey, without consideration, to the town of Payson, AZ; approximately 31.14 acres of Forest Service lands.

Public Law 99-635 (S. 2351), Mr. Evans and Mr. Gorton: An Act to revise the boundaries of Olympic National Park and Olympic National Forest in the State of Washington, and for other purposes.

Public Law 99-645 (S. 740), Mr. Chafee, Mr. Stafford, Mr. Durenberger, Mr. Bentsen, and Mr. Mitchell: An Act to extend until October 1, 1985, the authority for appropriations to promote the conservation of migratory waterfowl and to offset or prevent the serious loss of wetland and other essential habitat, and for other purposes.

Public Law 99-647 (S. 1374), Mr. Chafee, Mr. Pell, Mr. Kennedy, and Mr. Kerry: An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island.

Public Law 99-652 (H.R. 4378, Mr. Udall, et al. (S. 2522, Mr. Wallop, Mr. McClure, Mr. Hatfield, Mr. Johnston, Mr. Bumpers, and Mr. Armstrong)): An Act to provide standards for placement of

commemorative works on lands administered by the National Park Service in the District of Columbia, and for other purposes.

Public Law 99-663 (H.R. 5705, Mr. Weaver, et al. (S. 2055, Mr. Evans, Mr. Packwood, Mr. Hatfield, and Mr. Gorton)): An Act to protect and provide for the enhancement of the resources of Columbia River Gorge, and for other purposes.

Public Law 99-664 (H.R. 5730), Mr. Young, of AK: An Act to provide for a land exchange in the State of Alaska.

Related public laws

Public Law 99-509 (H.R. 5300), Omnibus Budget Reconciliation Act of 1986, Title III—Energy and Environmental Programs, SEC. 3502. Great Swamp National Wildlife Refuge.

OTHER MEASURES ACTIVELY CONSIDERED

S. 304, Mr. Domenici and Mr. Bingaman: A bill to provide for the transfer of certain interests in lands in Socorro County, NM, to the New Mexico Institute of Mining and Technology, Socorro, NM. (Hearings held. S. Hrg. 99-600 (part 1))

S. 360, Mr. Zorinsky and Mr. Exon: A bill to direct the Secretary of Agriculture to convey, without consideration, to the Nebraska Game and Parks Commission, approximately 160 acres of land within the Nebraska National Forest to be used for the purposes of expanding the Chadron State Park, Nebraska. (Hearings held. S. Hrg. 99-600 (part 1)) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 99-235) (Passed Senate, amended.)

S. 446, Mr. Domenici: A bill to provide for the transfer of certain interests in lands in Dona Ana County, New Mexico, to New Mexico State University, Las Cruces, New Mexico. (Hearings held. S. Hrg. 99-600 (part 1))

S. 485, Mr. Murkowski and Mr. Stevens: A bill to amend the Alaska National Interest Lands Conservation Act of 1980 to clarify the treatment of submerged lands and ownership by the Alaskan Native Corporation. (Hearings held. S. Hrg. 99-1036.) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 99-507) (Passed the Senate.)

S. 488, Mr. Goldwater and Mr. DeConcini: A bill to amend the act establishing the Petrified Forest National Park. (Hearings held. S. Hrg. 99-73)

S. 530, Mr. Cranston and Mr. Wilson: A bill to authorize the use of funds from rental of floating drydock and other marine equipment to support the National Maritime Museum in San Francisco, CA. (Hearings held. S. Hrg. 99-532 (part 2))

S. 543, Mr. Cranston and Mr. Wilson: A bill to designate the wilderness in the Point Reyes National Seashore in California as the Phillip Burton Wilderness. (Hearings held. S. Hrg. 99-73)

S. 565, Mr. DeConcini: A bill to direct the Secretary of Agriculture to convey, without consideration, to the town of Payson, AZ; approximately 31.14 acres of Forest Service lands. (Hearings held. S. Hrg. 99-600 (part 1)) (Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title. S. Rept. 99-900.) (Passed the Senate, amended.) (Passed the House,

amended.) (House agreed to the Senate amendment to the House amendment.)

S. 567, Mr. DeConcini: A bill to convey Forest Service land to Flagstaff, AZ. (Hearings held. S. Hrg. 99-600 (part 1))

S. 595, Mr. McClure: A bill to provide for the relief for certain desert land entrymen in Idaho. (Full Committee business meeting.) (Reported to the Senate, without amendment. S. Rept. 99-231) (Indefinitely postponed.) (See Public Law 99-590).

S. 722, Mr. Laxalt and Mr. Hecht: A bill to designate certain national forest systems lands in the State of Nevada for inclusion in the National Wilderness Preservation System, and for other purposes. (Field hearings held by Subcommittee. S. Hrg. 99-874)

S. 767, Mr. Bumpers: A bill to direct the Secretary of the Interior to permit access across certain Federal lands in the State of Arkansas, and for other purposes. (Hearings held. S. Hrg. 99-1020) (Reported to the Senate without amendment. S. Rept. 99-452)

S. 829, Mr. Melcher and Mr. Baucus: A bill to authorize the Secretary of the Interior to convey certain lands withdrawn by the Bureau of Reclamation for townsite purposes to the Huntley Project Irrigation District, Ballantine, Montana. (Hearings held. S. Hrg. 99-600 (part 1)) (Full committee business meeting; adopted an amendment in the nature of a substitute, ordered reported H.R. 3005 in lieu of S. 829. S. Rept 99-386) (See Public Law 99-517)

S. 977, Mr. Dixon and Mr. Simon: A bill to establish the Hennepin Canal National Heritage Corridor in the State of Illinois, and for other purposes. (Hearings held. S. Hrg. 99-816) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 99-453) (Passed Senate, amended.)

S. 1019, Mr. Proxmire and Mr. Kasten: A bill to authorize the inclusion of certain additional lands within the Apostle Islands National Lakeshore. (Hearings held. S. Hrg. 99-980) (Full committee business meeting; H.R. 2182 ordered reported in lieu of S. 1019. S. Rept. 99-499)

S. 1021, Mr. Cochran: A bill to exempt certain lands in the State of Mississippi from a restriction set forth in the Act of April 21, 1806. (Hearings held. S. Hrg. 99-600 (part 2))

S. 1107, Mr. Nunn, Mr. Pell, Mrs. Hawkins, Mr. Chafee, and Mr. Chiles: A bill to authorize the Society of the Third Infantry Division to erect a memorial in the District of Columbia or its environs. (Hearings held. S. Hrg. 99-424)

S. 1208, Mr. Mathias and Mr. Sarbanes: A bill to authorize the Secretary of the Interior to convey certain land located in the State of Maryland to the Maryland-National Capitol Park and Planning Commission. (Hearings held. S. Hrg. 99-264)

S. 1223, Mr. Armstrong, Mr. Bingaman, Mr. Boschwitz, Mr. Inouye, Mr. Levin, Mr. Matsunaga, Mr. Pell, Mr. Pressler, Mr. Rockefeller, Mr. Rudman, Mr. Stafford, Mr. Abdnor, Mr. Chafee, Mr. Johnston, Mr. Sasser, Mr. Ford, Mrs. Hawkins, Mr. Heinz, Mr. Cochran, Mr. Mattingly, Mr. Gramm, Mr. Bradley, Mr. Heflin, Mr. Nickles, Mr. Grassley, Mr. East, Mr. Durenberger, Mr. Roth, Mr. Moynihan, Mr. Zorinsky, Mr. Chiles, Mr. Andrews, Mr. Mitchell, Mr. Glenn, Mr. Kennedy, Mr. Hecht, Mr. Biden, Mr. Exon, Mr. Hollings, Mr. Kerry, Mr. Quayle, Mr. Gore, Mr. Leahy, Mr. Murkowski, Mr. Domenici, Mr. Simon, Mr. Nunn, Mr. Laxalt, Mr.

Warner, Mr. Dole, and Mr. Gorton: A bill to authorize the erection of a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces of the United States who served in the Korean War. (Hearings held. S. Hrg. 99-424)

S. 1330, Mr. Murkowski and Mr. Stevens: A bill to amend section 504 of the Alaska National Interest Lands Conservation Act to allow expanded mineral exploration of the Admiralty Island National Monument in Alaska. (Hearings held. S. Hrg. 99-1036)

S. 1379, Mr. McClure: A bill to authorize the erection of a monument given to the American people as a gift of the Kingdom of Morocco, on public grounds in the District of Columbia. (Hearings held. S. Hrg. 99-424)

S. 1596, Mr. Warner, Mr. Weicker, and Mr. Matsunaga: A bill to amend the District of Columbia Stadium Act of 1957 to direct the Secretary of the Interior to convey title to the Robert F. Kennedy Memorial Stadium to the District of Columbia. (Hearings held. S. Hrg. 99-361)

S. 1617, Mr. Wallop, Mr. Andrews, Mr. Abdnor, Mr. Simpson, Mr. Laxalt, Mr. Burdick, Mr. Melcher, Mr. Stevens, and Mr. Hecht: A bill to provide for more effective management of lands of the United States which are subject to conflicting claims or deposits, and to require the Secretary of the Interior to report annually thereon. (Hearings held. S. Hrg. 99-600 (part 2)) (Reported to the Senate with an amendment in the nature of a substitute and an amendment to the title S. Rept. 99-508) (See Public Law 99-598)

S. 1638, Mr. Goldwater: A bill to direct the Secretary of the Interior to release on behalf of the United States certain restrictions in a previous conveyance of land to the town of Jerome, Arizona. (Hearings held. S. Hrg. 99-600 (part 2)) (See Public Law 99-515.)

S. 1690, Mr. Domenici: A bill to provide for the transfer of certain interests in lands in Dona Ana County, N.M. to Dona Ana County, N.M. for the use as a fairground. (Hearings held. S. Hrg. 99-600 (part 1 and 2))

S. 1803, Mr. Packwood: A bill to amend the Garrison Diversion Project. (Hearings held.)

S. 1819, Mr. Armstrong and Mr. Hart: A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Cache la Poudre River and the South Fork of the Cache la Poudre River in Colorado as a component of the National Wild and Scenic River System. (Hearings held. S. Hrg. 99-532 (part 2)) (Reported to the Senate with amendments. S. Rept. 99-354) (See Public Law 99-590.)

S. 1911, Mr. Garn and Mr. Hatch: A bill to direct the Administrator of General Services to release, on behalf of the United States, certain conditions and reservations contained in a conveyance of land to the State of Utah. (Hearings held. S. Hrg. 99-600 (part 2)) (Reported to the Senate with amendments. S. Rept. 99-356)

S. 1946, Mr. Weicker and Mr. Dodd: A bill to designate the West Branch of the Farmington River as a study area for inclusion in the National Wild and Scenic Rivers Systems, and for other purposes. (Hearings held. S. Hrg. 99-816) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 99-357)

S. 2029, Mr. Chiles and Mrs. Hawkins: A bill to establish the Big Cypress National Preserve Addition in the State of Florida and for other purposes. (Hearings held. S. Hrg. 99-1055)

S. 2055, Mr. Evans, Mr. Packwood, Mr. Hatfield, and Mr. Gorton: A bill to establish the Columbia Gorge National Scenic Area, and for other purposes. (Hearings held. S. Hrg. 99-939) (Reported to the Senate with an amendment in the nature of a substitute.) (Passed Senate, adopted Hatfield amendment No. 3260, in the nature of a substitute.) (House companion bill H.R. 5705 became Public Law 99-663.)

S. 2065, Mr. Murkowski and Mr. Stevens: A bill to amend the Alaska Native Claims Settlement Act to provide Alaska Natives with certain options for the continued ownership of lands and corporate shares pursuant to the Act and for other purposes. (Hearings held. S. Hrg. 99-1036) (Full Committee business meeting.)

S. 2091, Mr. Hatfield: A bill to amend the provisions of the Federal Land Policy and Management Act of 1976 relating to the acquisition of public lands. (Hearings held. S. Hrg. 99-600 (part 2)) (Reported to the Senate without amendment. S. Rept. 99-358) (Passed Senate.) (Passed the House, amended.) (Senate concurred in the amendment of the House.) (By unanimous consent, action taken on S. 2091 was vitiated and the bill remained at the desk.)

S. 2130, Mr. Durenberger, Mr. Chafee, Mr. Moynihan, Mr. Kasten, Mr. Baucus, Mr. Hatfield, and Mr. Boschwitz: A bill to preserve, protect, and revitalize the National Park System. (Hearings held. S. Hrg. 99-817)

S. 2159, Mr. Wilson and Mr. Cranston: A bill to designate the Big Sur National Forest Scenic Area. (Hearings held. S. Hrg. 99-1020.)

S. 2194, Mr. Laxalt and Mr. Hecht: A bill to authorize the conveyance of 40 acres in Nevada to the Catholic Diocese of Reno/Las Vegas. (Hearings held. S. Hrg. 99-1054.)

S. 2204, Mr. McClure (by request) and Mr. Lugar: A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, to permit the use of part entrance, admission and recreation use fees for the operation of the National Park System, and for other purposes. (Hearings held. S. Hrg. 99-817.) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 99-509.)

S. 2265, Mr. Garn and Mr. Hatch: A bill to authorize the establishment of the Burr Trail National Rural Scenic Road in the State of Utah, and for other purposes. (Hearings held. S. Hrg. 99-816.)

S. 2287, Mr. Bradley and Mr. Lautenberg: A bill to amend the Wild and Scenic Rivers Act to designate a certain portion of the Great Egg Harbor River in the State of New Jersey for potential addition to the Wild and Scenic Rivers System. (Hearings held. S. Hrg. 99-980.) (Reported to the Senate with amendments. S. Rept. 99-417.) (Indefinitely postponed.) (See Public Law 99-590.)

S. 2384, Mr. Rockefeller and Mr. Byrd: A bill to amend Public Law 95-625 to permit the acquisition of certain lands for an administrative site for the New River Gorge National River, WV. (Hearings held. S. Hrg. 99-986.) (Reported to the Senate with an amendment. S. Rept. 99-454.) (See Public Law 99-590.)

S. 2412, Mr. McClure, Mr. Wallop, Mr. Goldwater, Mr. Hecht, and Mr. Laxalt: A bill to withdraw and reserve certain public

lands. (Hearings held. S. Hrg. 99-988.) (Reported to the Senate with amendments. S. Rept. 99-514.) (Passed Senate.)

S. 2442, Mr. DeConcini and Mr. Goldwater: A bill to establish the San Pedro Riparian National Conservation Area in Cochise County, AZ, in order to assure the protection of the riparian, wild-life, archaeological, paleontological, scientific, cultural, educational, and recreational resources of the conservation area, and for other purposes. (Hearings held. S. Hrg. 99-1055.)

S. 2466, Mr. Johnston: A bill to designate a segment of the Saline Bayou in Louisiana as a component of the National Wild and Scenic Rivers System. (Hearings held. S. Hrg. 99-980.) (Reported to the Senate with amendments. S. Rept. 99-419.) (Indefinitely postponed.) (See Public Law 99-590.)

S. 2483, Mr. Moynihan and Mr. D'Amato: A bill to amend the Fire Island National Seashore Act of 1964. (Hearings held. S. Hrg. 99-980.) (Reported to the Senate without amendment. S. Rept. 99-498.)

S. 2522, Mr. Wallop, Mr. McClure, Mr. Hatfield, Mr. Johnston, Mr. Bumpers, and Mr. Armstrong: A bill to provide standards for placement of commemorative works of certain Federal lands in the District of Columbia and its environs, and for other purposes. (Hearings held. S. Hrg. 99-896.) (Full committee business meeting; adopted an amendment in the nature of a substitute; ordered reported H.R. 4378 in lieu of S. 2522, S. Rept. 99-421.) (See Public Law 99-652.)

S. 2532, Mr. Cochran and Mr. Stennis: A bill to amend the Wild and Scenic River Act by designating a segment of the Black Creek in Mississippi as a component of the National Wild and Scenic Rivers System. (Hearings held. S. Hrg. 99-980.) (Reported to the Senate with amendments. S. Rept. 99-420.) (See Public Law 99-590.)

S. 2534, Mr. Thurmond and Mr. Hollings: A bill to authorize the acquisition and development of a mainland tour boat facility for the Fort Sumter National Monument, South Carolina, and for other purposes. (Hearings held. S. Hrg. 99-986.) (Reported to the Senate with amendments. S. Rept. 99-476.) (Passed Senate, amended.) (Passed House, amended.) (Senate concurred in the amendment of the House.)

S. 2599, Mr. Domenici and Mr. Bingaman: A bill to declare that the United States holds certain public domain lands in trust for the Pueblo of Zia. (Hearings held. S. Hrg. 99-1054.)

S. 2698, Mr. Laxalt and Mr. Hecht: A bill to transfer certain public lands in Nevada to the Toiyabe, Humboldt, and Inyo National Forests. (Hearings held. S. Hrg. 99-1054.)

S. 2707, Mr. Broyhill: A bill to amend the Wild Scenic Rivers Act by designating a segment of the Horsepasture River in the State of North Carolina as a component of the National Wild and Scenic Rivers System. (Hearings held. S. Hrg. 99-1055.)

S. 2758, Mrs. Hawkins, Mr. Laxalt, and Mr. Hecht: A bill to authorize the exchange of certain lands in the States of Nevada and Florida. (Hearings held. S. Hrg. 99-1054.)

S. 2812, Mr. Quayle and Mr. Lugar: A bill relating to the Indiana Dunes National Lakeshore, and for other purposes. (Hearings held. S. Hrg. 99-1054.)

S.J. Res. 143, Mr. Gore, Mr. Boschwitz, Mr. Burdick, Mr. Danforth, Mr. Lugar, Mr. Hollings, Mr. Inouye, Mr. Chiles, Mr. Levin, Mr. Hatch, Mr. Sarbanes, Mr. Riegle, Mr. Melcher, Mr. Murkowski, Mr. Rockefeller, Mr. Andrews, Mr. Nickles, Mr. Mathias, Mr. Heinz, Mr. Garn, Mr. Metzenbaum, and Mr. Grassley: A bill to authorize the Black Revolutionary War Patriots Foundation to establish a memorial in the District of Columbia at an appropriate site in Constitution Gardens. (Hearings held. S. Hrg. 99-424.) (See Public Law 99-558.)

S.J. Res. 156, Mr. Murkowski, Mr. Cranston, Mr. Stafford, Mr. Spector, Mr. Boschwitz, Mr. Matsunaga, Mr. DeConcini, Mr. Mitchell, Mr. Rockefeller, Mr. Abdnor, Mrs. Hawkins, Mr. Chafee, Mr. Cohen, Mr. D'Amato, Mr. Evans, Mr. Garn, Mr. Gramm, Mr. Laxalt, Mr. Lugar, Mr. Nickles, Mr. Packwood, Mr. Symms, Mr. Wallop, Mr. Wilson, Mr. Bradley, Mr. Bumpers, Mr. Chiles, Mr. Dixon, Mr. Ford, Mr. Gore, Mr. Hart, Mr. Inouye, Mr. Kennedy, Mr. Lautenberg, Mr. Leahy, Mr. Levin, Mr. Metzenbaum, Mr. Moynihan, Mr. Pell, Mr. Proxmire, Mr. Riegle, Mr. Sasser, Mr. Simon, Mr. Hecht, Mr. Simpson, Mr. Thurmond, Mr. Hollings, Mr. Denton, Mr. Andrews, Mr. Kerry, Mr. Dole, Mr. Boren, Mr. Pressler, Mr. Cochran, Mr. Warner, Mr. Mattingly, Mr. Quayle, Mr. Glenn, and Mr. Durenberger: A bill authorizing a memorial to be erected in the District of Columbia or its environs. (Hearings held. S. Hrg. 99-424.) (See Public Law 99-590.)

S.J. Res. 184, Mr. Denton, Mr. Nickles, Mr. Mattingly, Mr. Cochran, Mr. Inouye, Mr. Andrews, Mr. Boren, Mr. Heflin, Mr. Hollings, Mr. East, Mr. Thurmond, and Mr. Wilson: A bill to authorize the Korean War Memorial, Inc., to erect a memorial in the District of Columbia or its environs. (Hearings held. S. Hrg. 99-424.) (See Public Law 99-572.)

S.J. Res. 221, Mr. Cranston and Mr. Wilson: A bill to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project. (Hearings held. S. Hrg. 99-523 (part 2).)

H.R. 105, Mr. Foglietta: A bill to provide for the inclusion of the Washington Square areas within Independence National Park, and for other purposes. (Hearings held. S. Hrg. 99-523 (part 2).)

H.R. 934, Mr. Seiberling, et al.: a bill to provide certain authority to reduce erosion within the Cuyahoga Valley National Recreation Area, and for other purposes. (Hearings held. S. Hrg. 99-523 (part 2).) (Reported to the Senate without amendment. S. Rept. 99-360.)

H.R. 2776, Mr. Fauntroy: A bill to amend the District of Columbia Stadium Act of 1957 to direct the Secretary of the Interior to convey title to the Robert F. Kennedy Memorial Stadium to the District of Columbia. (Hearings held. S. Hrg. 99-361.) (Reported to the Senate S. Rept. 99-185.) (Placed on Senate Legislative Calendar under General Orders. Calendar No. 415.)

H.R. 4090, Mr. Lewis, et al.: A bill to establish the Big Cypress National Preserve Addition in the State of Florida, and for other purposes. (Hearings held. S. Hrg. 99-1055.)

H.R. 4811, Mr. Kolbe: An Act to establish the San Pedro Riparian National Conservation Area in Cochise County, Arizona, in order to assure the protection of the riparian, wildlife, archeological, paleontological, scientific, cultural, educational and recreational resources of the conservation area. (Hearings held. S. Hrg. 99-1055.)

SUBCOMMITTEE ON WATER AND POWER

FRANK H. MURKOWSKI, Alaska, *Chairman*

MARK O. HATFIELD, Oregon

DANIEL J. EVANS, Washington

DON NICKLES, Oklahoma

LOWELL P. WEICKER, Jr., Connecticut

BILL BRADLEY, New Jersey

WENDELL H. FORD, Kentucky

HOWARD M. METZENBAUM, Ohio

JOHN MELCHER, Montana

JURISDICTION

The jurisdiction of the Subcommittee on Water and Power included oversight and legislative responsibilities for irrigation; reclamation projects; power marketing administrations (e.g., Bonneville Power, Alaska Power, Southwestern Power, Western Area Power, Southeastern Power); energy development impacts on water resources; small power producers; hydroelectric power; low head hydro; utility policy; Alaska Natural Gas Transportation System financing; and FERC, including regulation of Alaska Natural Gas Transportation System (ANGTS), Trans-Alaska Pipeline System (TAPS), and other oil or gas pipeline transportation systems within Alaska (e.g., the Trans-Alaskan Gas line system).

OVERSIGHT ACTIVITIES

The Subcommittee held 3 days of oversight hearings on water supply issues in the Mid-Atlantic Region (3 days).

LEGISLATIVE ACTIVITIES

During the 99th Congress, 35 Senate bills, and four House bills were referred to the Subcommittee. In addition, one House-passed measure was held at the Senate desk without referral to the Committee.

The Subcommittee held 9 days of hearings on 17 of these measures, including:

Electric Consumers Protection Act of 1986 (S. 426);

Ratepayer Protection Act of 1986 (S. 1149);

Small Reclamation Projects Act of 1956 Amendments (S. 1171);

Implement the Coordinated Operation Agreement (S. 1192); and

Henry's Fork of the Snake River Protection Act of 1986 (S. 2635).

Of the measures referred to the Subcommittee, six became public law as discussed below. Five others were incorporated into public laws which originated with other committees; these included matters related to: (1) the relief of water users deprived of winter stock water on Willow Creek, Idaho (S. 686); (2) integration of the Hilltop and Gray Goose Units into the Pick-Sloan Missouri Basin Program (S. 1131); (3) providing for studies of the disposal of drain water and construction of interim corrective measures for the San Luis inter-

ceptor drain (S. 1157); (4) increase the appropriations ceiling for the North Loup project, and (5) transfer or sale of the Federal Power Marketing Administrations (S. 2328).

In addition, there were three measures (S. 230, S. 1319, S. 1771) within the Subcommittee's jurisdiction which had been reported by the Committee and were awaiting action by the Senate when Congress adjourned sine die. A fourth measure (S. 2894) had been added as an amendment to H.R. 5465, the National Appliance Energy Conservation Act of 1986, which was subsequently vetoed by the President. A fifth measure, H.R. 2340, had passed the House and was pending before the Committee at time of adjournment.

Those measures of particular interest were:

Colorado River Floodway Protection Act

Public Law 99-450 establishes the Colorado River Floodway Task Force to prepare recommendations concerning the management of lands within the Colorado River Floodway including the potential application of the Floodway to Indian lands. The Act establishes the Colorado River Floodway, with boundaries to be determined by anticipated floodflow levels on the Colorado River downstream from Davis Dam. The Act denies the availability of new expenditures or new financial assistance for any purpose within the Floodway with specified exceptions. The Act amends the National Flood Insurance Act of 1986 to limit new flood insurance coverage on new construction or substantial improvements to structures located within the Floodway. The Act prohibits the granting of leases on public lands between Hoover Dam and Davis Dam unless the Secretary of the Interior determines that the lease would be consistent with the operation of Lake Mojave.

Coordinated operations agreement, the Suisun Marsh preservation agreement implementation, and amendments to the Small Reclamation Projects Act of 1956, and for other purposes

Public Law 99-546 contains four titles. Title I authorizes the Secretary of the Interior to enter into an agreement with the State of California for the coordinated operation of the Bureau of Reclamation's Central Valley Project and the State Water Project and prescribes certain conditions and criteria related thereto. In addition, title I establishes certain repayment requirements for contracts for the delivery of water from the Central Valley Project. Title II authorizes the Secretary of the Interior to execute and implement the Suisun Marsh Preservation Agreement and prescribes cost-sharing and repayment requirements as well as authorizing the appropriation of \$50 million to carry out the Agreement. Title III amends the Small Reclamation Projects Act of 1956 so as to emphasize the use of the program for the rehabilitation and betterment of existing projects for purposes of significant conservation of water, energy and the environment, and for purposes of water quality control. The Act is also amended to provide for cost sharing requirements and an increase in the interest rate charged for loans made pursuant to the Act and a reduction in the acreage eligible to receive the benefits of an interest-free loan. Title III also directs the Secretary of the Interior and the Secretary of Agriculture to jointly submit a report to the Congress regarding the effect of the Small

Reclamation Projects Act of the production of surplus commodities. Title III also amends the Small Reclamation Projects Act to authorize the appropriation of \$600 million for the program. Title IV validates certain contracts between the United States and irrigation districts on the Columbia Basin Project in Washington State.

Electric Consumers Protection Act of 1986

Public Law 99-495 clarifies that a municipal preference does not apply in the issuance of a new license for an existing hydroelectric project; gives new emphasis to the consideration of environmental and other non-developmental values in the licensing process; restricts the benefits for hydroelectric power development bestowed by the Public Utilities Regulatory Policy Act, establishes fees for the use of government dams and structures, and provides for the protection of Henry's Fork of the Snake River in Idaho.

Garrison Diversion Unit Reformulation Act of 1986

Public Law 99-294 authorizes the Secretary of the Interior to plan and construct a multi-purpose water resource development project in North Dakota providing for the irrigation of specified acreage, municipal, rural, industrial water supplies, fish and wildlife conservation and development, recreation, flood control, and other purposes in accordance with the Federal reclamation laws and the Garrison Diversion Unit Commission Final Report.

Designating the Closed Basin Conveyance Channel of the Closed Basin Division, San Luis Project, Colorado as the Franklin Eddy Canal

Public Law 99-146 designates the Closed Basin Conveyance Channel as the Franklin Eddy Canal.

Lower Colorado Water Supply Act

Public Law 99-655 authorizes the Secretary of the Interior to construct, operate, and maintain the Lower Colorado Water Supply Project, California and authorizes the appropriation of \$1.8 million for construction of the project. The Act also authorizes the appropriation of operation and maintenance funds and authorizes the Secretary of the Interior to enter into water exchange contracts and to encourage water exchange agreements in connection with the project.

MEASURES ENACTED INTO LAW

Public Law 99-294 (H.R. 1116, by request), Mr. Dorgan (S. 495 and S. 1765, Mr. Andrews and Mr. Burdick): An Act to implement certain recommendations pursuant to Public Law 98-360.

Public Law 99-416 (H.R. 3443), Mr. Strang: An Act to designate the Closed Basin Conveyance Channel of the Closed Basin Division, San Luis Valley Project, Colorado, as the "Franklin Eddy Canal".

Public Law 99-495 (S. 426), Mr. Wallop, Mr. Simpson, Mr. Garn, Mr. Hecht, Mr. Goldwater, Mr. Heflin, Mr. Wilson, Mr. Laxalt, Mr. Cranston, Mr. Denton, Mr. Chafee, Mr. Murkowski, Mr. Dodd, Mr. Boschwitz, Mr. Symms, Mr. D'Amato, Mr. Pell, Mr. Stevens, Mr. Thurmond, Mr. Melcher, Mr. Kasten, Mr. East, Mrs. Hawkins, Mr.

Boren, Mr. Durenberger, Mr. Bumpers, Mr. Cochran, Mr. Helms, Mr. Nickles, Mr. Moynihan, Mr. Packwood, Mr. Johnston, Mr. Lugar and Mr. Hollings: An Act to amend the Federal Power Act to provide for more protection to electric consumers.

Public Law 99-546 (H.R. 3113), Mr. Miller of California, et al. (S. 1192, Mr. Wison and Mr. Cranston): An Act providing to implement the Coordinated Operations Agreement, the Suisun Marsh Preservation Agreement, and to amend the Small Reclamation Projects Act of 1956, as amended, and for other purposes.

Public Law 99-655 (H.R. 5028), Mr. Lewis of California, et al.: An Act entitled "The Lower Colorado Water Supply Act".

Related public laws

Public Law 99-184 (H.J. Res. 941), a joint resolution making further continuing appropriations for fiscal year 1986, incorporated provisions similar to S. 686 (Mr. McClure and Mr. Symms) to provide for the relief of water users deprived of winter stock water on Willow Creek, Idaho, below the Ririe Dam and Reservoir.

Public Law 99-272 (H.R. 3128), Title VII—Energy and related programs, Consolidated Omnibus Budget Reconciliation Act of 1985.

Public Law 99-349 (H.R. 4515), Urgent Supplemental Appropriations Act, 1986, incorporated provisions similar to S. 2328 (Mr. Evans, et al.), a bill to prohibit for a 10-year period the transfer or sale of Federal Power Marketing Administrations or the Tennessee Valley Authority, and for other purposes.

Public Law 99-500 (H.J. Res. 738), a joint resolution making continuing appropriations for the fiscal year 1987, and for other purposes, incorporated provisions similar to:

S. 1157 (Mr. McClure (by request)), to authorize the Secretary of the Interior to perform studies relating to disposal of drain water and to construct interim corrective measures deemed necessary for the San Luis interceptor drain; and

S. 1704 (Mr. McClure (by request)), Mr. Exon and Mr. Zorinsky), to authorize an increase in the appropriation ceiling for the North Loup Division, Pick-Sloan Missouri Basin Program, Nebraska.

Public Law 99-662 (H.R. 6), an Act to provide for the conservation and development of water and related resources and the improvement and rehabilitation of the Nation's water resources infrastructure, incorporated provisions similar to S. 1131 (Mr. Abdnor and Mr. Pressler), to authorize the Secretary of the Interior to integrate the Hilltop and Gray Goose Units into the Pick-Sloan Missouri Basin Program, South Dakota.

OTHER MEASURES ACTIVELY CONSIDERED

S. 230, Mr. Burdick and Mr. Andrews: A bill for the relief of the city of Dickinson, N.D. (Hearings held. S.Hrg. 99-981) (Reported to the Senate with an amendment in the nature of a substitute. S. Rept. 99-495) (Sen. Calendar No. 1005.)

S. 252, Mr. Abdnor and Mr. Pressler: A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Lake

Andes-Wagner Unit, SD, Pumping Division, Pick-Sloan Missouri Basin Program, South Dakota. (Hearings held. S. Hrg. 99-571)

S. 403, Mr. Johnston: A bill to amend the Federal Power Act to establish policy and procedures to guide the Federal Energy Regulatory Commission in the issuance of new licenses to operate existing hydroelectric facilities. (Hearing held. S. Hrg. 99-236) (See Public Law 99-495.)

S. 495, Mr. Andrews and Mr. Burdick: A bill to implement certain recommendations made pursuant to Public Law 98-360. (See Public Law 99-294.)

S. 686, Mr. McClure and Mr. Symms: A bill to provide for the relief of water users deprived of winter stock water on Willow Creek, Idaho, below the Ririe Dam and Reservoir. (Full Committee business meeting.) (Reported to the Senate without amendment. S. Rept. 99-197) (Included in H.J. Res. 491) (See Public Law 99-184.) (Indefinitely postponed.)

S. 953, Mr. Evans and Mr. Gorton: A bill to validate contractual relationships between the United States and various non-Federal entities. (Full Committee business meeting.) (Reported to the Senate with an amendment. S. Rept. 99-87) (Passed Senate amended.) (Reported to the House with an amendment by the House Committee on Interior and Insular Affairs. H. Rept. 99-662 (part 1)) (Included as amendment to H.R. 3113.) (See Public Law 99-546.)

S. 1131, Mr. Abdnor and Mr. Pressler: A bill to authorize the Secretary of the Interior to integrate the Hilltop and Gray Goose Units into the Pick-Sloan Missouri Basin Program, South Dakota. (Hearings held. S. Hrg. 99-258) (See Public Law 99-662).

S. 1149, Mr. Bumpers and Mr. Pryor: A bill to amend the Federal Power Act to allow State Commissions to determine whether to exclude all or part of a rate set by the Federal Energy Regulatory Commission based on construction cost. (Hearings held. S. Hrg. 99-990) (Full Committee business meeting.)

S. 1157, Mr. McClure (by request): A bill to authorize the Secretary of the Interior to perform studies relating to disposal of drain water and to construct interim corrective measures deemed necessary for San Luis interceptor drain. (Hearings held. S. Hrg. 99-258) (Similar authority include in H.J. Res. 738.) (See Public Law 99-546.)

S. 1171, Mr. McClure, Mr. Wilson, Mr. Cranston, Mr. DeConcini, Mr. Abdnor, Mr. Goldwater, Mr. Hart, Mr. Melcher, and Mr. Armstrong: A bill to amend the Small Reclamation Projects Act of 1956, as amended. (Hearings held. S. Hrg. 99-258) (See Public Law 99-546.)

S. 1192, Mr. Wilson and Mr. Cranston: A bill to implement the Coordinated Operation Agreement. (Hearings held. S. Hrg. 99-258) (Full Committee business meeting, H.R. 3113 ordered reported in lieu of S. 1192. S. Rept. 99-265) (See Public Law 99-546.)

S. 1219, Mr. Metzenbaum: A bill to amend the Federal Power Act to ensure fair competition in the licensing of existing hydroelectric projects and, in doing so, to maintain and enhance diversity within the electric utility industry, thereby ensuring the maximum development and utilization of the Nation's public resources for the benefit of all electric consumers, and for other purposes. (Hearings held. S. Hrg. 99-236) (See Public Law 99-495.)

S. 1260, Mr. Evans: A bill entitled the "Hydroelectric Relicensing Reform Act". (Hearings held. S. Hrg. 99-236) (See Public Law 99-495.)

S. 1319, Mr. Laxalt and Mr. Hecht: A bill to relieve the Washoe County Water Conservation District, Nevada, of certain Federal repayment obligations, (Hearings held. S. Hrg. 99-607) (Reported to the Senate with an amendment. S. Rept. 99-381) (Sen. Calendar 795)

S. 1471, Mr. Pressler and Mr. Abdnor: A bill to authorize the Lyman-Jones and West Rural Development Projects. (Hearings held. S. Hrg. 99-1031)

S. 1704, Mr. McClure (by request); Mr. Exon, and Mr. Zorinsky: A bill to authorize an increase in the appropriation ceiling for the North Loup Division, Pick-Sloan Missouri Basin Program, Nebraska. (Hearings held. S. Hrg. 99-981) (S. 1704 amended to the Continuing Resolution.) (See Public Law 99-500.)

S. 1772, Mr. Hecht and Mr. Laxalt: A bill to authorize and direct the Secretary of the Interior to convey certain real property to the Pershing County Water Conservation District. (Hearings held. S. Hrg. 99-607) (Reported to the Senate with an amendment. S. Rept. 99-383) (Sen. Calendar 797)

S. 2519, Mr. Evans and Mr. Gorton: A bill to authorize certain elements of the Yakima River Basin Water Enhancement Project, and for other purposes. (Hearings held. S. Hrg. 99-983)

S. 2635, Mr. McClure and Mr. Symms: A bill to protect the integrity and quality of certain reaches of the Henry's Fork of the Snake River, Idaho, and for other purposes. (Hearings held. S. Hrg. 99-1024) (Reported to the Senate with amendments. S. Rept. 99-413) (Incorporated in S. 426 under Section 15A.) (Indefinitely postponed.) (See Public Law 99-635.)